



## UNDERGROUND STORAGE TANK FACILITY FILE CLOSEOUT FORM

Facility ID Number:	Facility Name:	Facility Address	Facility City:	Facility State
017892	New Jersey Meadowlands Commission	North Arlington Transfer Station 1 Disposal Road	North Arlington	NJ
Facility County	Inspection Date:	Case Handler:	Legal Action Taken?:	
Bergen	5/9/2011 2:00:00 PM	Rebecca Jamison	Legal Action Taken-FC	
File Opening Date:	File Closing Date:			
5/9/2011 2:00:00 PM	2/28/2012			

[Print This Record](#)[Close Form](#)

## Case Conclusion Data Sheet

Submitted

EA #:

Date Entered:

ORC Branch:

### Information

#### Case and Facility Information

Court or Administrative Docket or Index Number II-UST-FC-451EC

Enforcement Action Name New Jersey Meadowlands Commission-North Arlington Transfer Station

Site(s): New Jersey Meadowlands Commission-North Arlington Transfer Station

Enforcement Action Type RCRA 9006 AO for Compliance and/or Penalty (UST) - UST Expedited Settlement

Primary Statute/Section Violated RCRA 9006A - UST Compliance Order Petroleum

Other Statutes/Sections

CFR Citations: 40 CFR Part 280.70(a)

#### Priority Activity

☒ Core Priority

EPA Lead Attorney

EPA Program Contact

Rebecca Jamison

DECA-RCB

(office) 212-637-3948

Violation Type

UST requirement other than LDAR

Was this action taken in response to a violation found through an Inspection?

ICIS Inspection Name: New Jersey Meadowlands Commission-North Arlington Transfer Station

Date: 05/09/2011

Was this a Multi-Media action? (check all that apply)

Was the Agency activity taken in response to Environmental Justice concerns?

Was Voluntary Disclosure Policy applied to this action?

Was Alternative Dispute Resolution used in this action?

Conclusion Type Administrative Penalty Order

Date of Final Order Lodging

Date of Final Order 02/21/2012

Estimated Termination Date

Resolution Code Final Order with Penalty

Complying Action

Complying Action

### Removal and Restoration

Total Cost:

Program Category

Type

Units

Media

Program Category

Type

Units

Media

Program Category

Type

Units

Media

Reduction of Ongoing Releases

Total Cost: \$0.00

Program Category

Type

Units

Media

Program Category

Type

Units

Media

Program Category

Type

Units

Media

Prevention of Future Releases

Total Cost: \$500.00

Program Category

Type

Units

☐ UST

☐ Tank Closure

☐ Gallons

Media soil

Pollutant	Amount	National Priority	Regional Priority	OECA Core Program
GASOLINE	200			Yes

Program Category

Type

Units

Media

Program Category

Type

Units

Media

Work Practices

Total Cost: \$0.00

Type

(Enter additional types  
on separate lines)

Injunctive Relief - Old Method

Injunctive Relief/Complying Action

#### Direct Action to Reduce, Eliminate, or Treat Pollutants

Direct Environmental  
Reduction

#### Preventative Actions to Manage Waste Streams or Prevent Releases/Exposur

Preventative

#### Facility Management or Information Practice

Facility Management or  
Information Practice

#### Quantitative Environmental Impact



SEP

SEP(s)

Penalty

Penalty

Final Assesed Penalty (Not including value of any SEP)

EPA \$420.00

State and Local Government \$0.00

For Multi-Media actions, enter the Federal amounts by statute:

Statute

Amount

Cost Recovery

CERCLA Cost Recovery

Amount of cost recover awarded

EPA \$0.00

State and Local Government \$0.00

Summary

Case Summary

The facility was inspected by EPA Contractors on May 9, 2011 and the Inspection Checklist was reviewed by EPA enfo there was a failure to empty the temporarily closed USTs to below 1" of product in each UST. EPA issued a Field Citati

Self Disclosure:

Self Disclosure Information

Disclosure under Audit Policy?

☐ Yes ☒ No

Disclosure under EPA's Small

☐ Yes ☒ No

Business Policy?

Milestones

DATES Milestones: DECA tracks some milestones in the DATES database. If this action has milestones that need to Does this action have DATES milestones? ☐ Yes ☐ No



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

R.J.

FEB 21 2012

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article Number: 7005 3110 0000 5948 9079

Christine A. Sanz  
Director of Legal Affairs  
New Jersey Meadowlands Commission  
One DeKort Park Plaza  
Lyndhurst, NJ 07071

Re: Field Citation Number: II-UST-FC-845EC  
Facility ID Number: 017892  
New Jersey Meadowlands Commission  
North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ 07047

Dear Ms. Sanz:

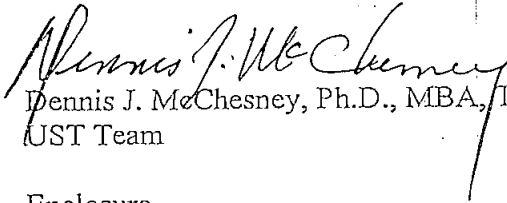
The U.S. Environmental Protection Agency (EPA) Region 2 is in receipt of your penalty payment of \$420, the signed Field Citation, and your compliance submittals. By signing the Field Citation you have agreed to the Compliance Order/Settlement Agreement and have certified that all violations cited in the Field Citation have been corrected.

Enclosed you will find a copy of the Field Citation with the Compliance Order/Settlement Agreement issued by EPA. EPA has approved the Settlement Agreement based on your signed certification and supporting compliance documentation. EPA will take no further civil action against you for the violations listed in the Notice of Violation provided that all listed violations have been timely corrected. EPA may choose to re-inspect your facility and if EPA identifies any violations during the re-inspection, such findings would be your second violation of Federal underground storage tank (UST) regulations. A second offense may result in a civil action which can include seeking penalties of up to \$37,500 per UST system per day of violation. In addition, as indicated in Part 2 of the Settlement Agreement, making a knowing submission of materially false information to the U.S. Government may be a criminal offense.

If you have any questions regarding this letter or any other related matter, please contact Rebecca Jamison of my staff at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

Thank you for your cooperation.

Sincerely,



Dennis J. McChesney, Ph.D., MBA, Team Leader  
UST Team

Enclosure

cc: Mike Hastry, Manager 4 WM  
Bureau of Hazardous Waste & UST Compliance Enforcement  
New Jersey Dept. of Environmental Protection  
Mail Code 09-03  
P.O. Box 420  
Trenton, NJ 08625-0420

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2**

*290 Broadway, New York, NY 10007-1866*

**UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-845EC**

**PART I: INSPECTION SUMMARY**

On: May 9, 2011  
(Date of Inspection)

Time: N/A

At: New Jersey Meadowlands Commission 017892  
(Facility Name and Identification Number)

Address: North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ 07047

(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator:

Affiliation: Owner

Name: New Jersey Meadowlands Commission

Address: Lyndhurst, NJ 07071

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to continue operation and maintenance of release detection in a temporarily closed tank system

Cite: §280.70(a)  
Proposed Penalty: \$420

2. Violation:

Cite:  
Proposed Penalty: \$

3. Violation:

Cite:  
Proposed Penalty: \$

4. Violation:

Cite:  
Proposed Penalty: \$

5. Violation:

Cite:  
Proposed Penalty: \$

6. Violation:

Cite:  
Proposed Penalty: \$

7. Violation:

Cite:  
Proposed Penalty: \$

**PROPOSED PENALTY TOTAL: \$420**

EPA finds the Owner or Operator in violation of the above referenced UST regulations.



(Signature of Authorized Officer or Employee of EPA)

Date: 1/31/12

**PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER**

**A. Settlement Agreement:** The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$420 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 2, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

**SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:**

Name (print): Marcia A. Karrow

Title (print): Executive Director

Signature:  Date: 2/8/12

**B. Compliance Order:** This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

**SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:**

Name (print): Dennis J. McChesney

Title (print): Team Leader, UST Team

Signature:  Date: 02/24/12

**Notes:**

## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (sufficient for EPA to track payment) to EPA at the following address (within the 30-day time limit specified below):

Dennis J. McChesney, Ph.D, MBA, Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements. EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

**Timeline:** The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

**Requesting An Extension:** EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

**Requesting that EPA Modify or Withdraw the Form:** If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

**Payment:** Payment can be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers and online payment are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

**Settlement Agreement Certification:** By signing the Settlement Agreement in Part II, you are certifying under penalty of law that you have corrected the violations, submitted true and accurate documentation of compliance, and have paid the penalty. Failure to meet those conditions means you will remain liable for the original violations with the possibility of being liable for additional violations for noncompliance with the Compliance Order and for making a false representation to the U.S. Government.

**EPA Review:** Once EPA has received the Form, EPA will review it and the documentation of compliance, and verify that payment was made. If EPA decides to settle the case using this Field Citation, EPA will sign and approve the Settlement Agreement and the Compliance Order and send a copy of the completed Form to you. Once EPA has signed the Compliance Order and Settlement Agreement, you and EPA are bound by their terms. EPA reserves the right not to pursue settlement under the Field Citation and instead pursue formal enforcement. In that event, you will be promptly reimbursed for the amount you paid into the U.S. Treasury when submitting the Field Citation.

If you have any questions, please contact Rebecca Jamison of my staff at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

*Revised March 2009*

**Christine A. Sanz, Esq.  
Director of Legal Affairs  
Chief Counsel**

TO: Dennis McChesney  
UST Team  
US EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007

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DATE: February 14, 2012

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**THE ATTACHED IS SENT TO YOU:**

- ☐ For your Information and Action
- ☐ For your Information
- ☐ For your Review and Comment
- ☐ For your Response
- ☐ For Follow-up
- ☐ Please Handle Accordingly

U.S. ENVIRONMENTAL  
PROTECTION AGENCY  
2012 FEB 15 PM 12:13  
DECA-RCB-UST

**ATTACHMENT:**

VIA FEDEX (tracking # 8768 7485 3646)

Re: Field Citation Settlement No. II-UST-FC-845EC

Enclosed please find:

- Executed UST Field Citation Form for Expedited Settlement
- Documentation of Compliance
- Copy of NJMC Check # 6567 in the amount of \$420

450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

854785

REGISTERED  
(BILL TO IF DIFFERENT FROM LOCATION)

GENERATOR/LOCATION **SALES ORDER #**  
**3928585**  
NAME **New Jersey Meadowlands**  
INFORMATION ATTENTION LINE **former Bergen County, Utility**  
DELIVERY ADDRESS **Disposal Rd**  
CITY **North Arlington** STATE **NJ** ZIP  
PHONE NUMBER **734-0910** PURCHASE ORDER NUMBER  
TIME IN TIME OUT

NAME **New Jersey Meadowlands**  
INFORMATION ATTENTION LINE  
DELIVERY ADDRESS **1 Dekort Park Plaza**  
CITY **Lyndhurst** STATE **NJ** ZIP  
PHONE NUMBER **201-329-1926** PURCHASE ORDER NUMBER  
MANIFEST NUMBER **931926**

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation  
NO. TYPE QTY. UNIT US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number) SALES REPRESENTATIVE

SERVICE SECTION

	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOT
40500	USED OIL REMOVAL	107A	2600	N/A			
40300	ANTIFREEZE REMOVAL	107A	400 gal	N/A			
40400	OILY WATER DISPOSAL	107A					
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

N/A  
Per Cont  
aw

PARTS WASHER SERVICE INTERVAL will call  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261, GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☒ used oil ☐ used antifreeze ☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other \_\_\_\_\_  
Description  
In accordance with the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X **Angelo URATO**  
Print Name Title  
X **Angelo Urato** **5/26/94**  
Signature Date  
GENERATOR/CUSTOMER

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X \_\_\_\_\_ PPM

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \$

PAYMENT RECEIVED SECTION

CASH <input type="checkbox"/>	TOTAL RECEIVED
CHECK NUMBER	

In accordance with NJAC7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X **B. M. Jones**  
Print Name  
X **B. M. Jones** **5-26-94**  
Signature Date  
LORCO REPRESENTATIVE

ORIGINAL



450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

853165

GENERATOR/LOCATION

SALES ORDER #

BILL TO (IF DIFFERENT FROM LOCATION)

NAME Forme Bergen City Utility  
INFORMATION/ATTENTION LINE Utility  
DELIVERY ADDRESS Dipart Rd  
CITY North Arlington STATE NJ ZIP 07061  
PHONE NUMBER 201-261-1111 PURCHASE ORDER NUMBER 931931  
TIME IN 8:00 TIME OUT 12:00

NAME NJ Meadowlands Comm  
INFORMATION/ATTENTION LINE Comm  
DELIVERY ADDRESS 100 Church  
CITY Elizabeth STATE NJ ZIP 07208  
PHONE NUMBER 908-281-1111 PURCHASE ORDER NUMBER 931931

MANIFEST  
NUMBER

931931

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

NO. TYPE QTY. UNIT

US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)

SALES REPRESENTATIVE

SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL						
40300	ANTIFREEZE REMOVAL						
40400	OILY WATER DISPOSAL		55	67/165			
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

PARTS WASHER SERVICE INTERVAL \_\_\_\_\_ DAYS.  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261. GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY, RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☐ used oil ☐ used antifreeze ☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other

Description

In accordance the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X Angelo URATO

Print Name

X Charles Zia

Signature

Date

GENERATOR/CUSTOMER

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X @  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X \_\_\_\_\_ PPM

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \$

PAYMENT RECEIVED SECTION

CASH ☐

TOTAL RECEIVED

CHECK NUMBER

In accordance with NJAC7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X R. Di Rienzo

Print Name

X Di Rienzo

Signature

Date

LORCO REPRESENTATIVE

ORIGINAL



LORCO REPRESENTATIVE

NEW JERSEY MEADOWLANDS COMMISSION  
SOLID WASTE OPERATING ACCOUNT

No. 6567

DATE

VENDOR NAME

VENDOR NO.:

INVOICE NO.	INVOICE DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
02/14/2012	14-FEB-12	field citation # 11-051-TC 845EC	0.00	420.00
PLEASE DETACH AND RETAIN THIS STATEMENT AS YOUR RECORD OF PAYMENT.			Thank You	
			\$0.00	\$420.00



**New Jersey  
Meadowlands  
Commission**  
One Dekorte Park Plaza  
Lyndhurst, NJ • 07071

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER.



America's Most Convenient Bank®

No. 6567

55-136/312

CHECK DATE	CHECK NUMBER	CHECK AMOUNT
14-FEB-12	6567	*****420.00

PAY Four Hundred Twenty Dollars And 00 Cents\*\*\*\*\*

TO THE  
ORDER OF

TREASURY OF THE UNITED STATES  
US ENVIRONMENTAL PROTECTION AGENCY  
FINES AND PENALTIES  
CINCINNATI FINANCE CENTER  
ST LOUIS, MO 63197-9000

SOLID WASTE OPERATING ACCOUNT

MP

MP

THE DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

006567 1:0312013601 3450512722



To: Christine Sanz <Christine.Sanz@njmeadowlands.gov>,  
Cc:  
Bcc:  
Subject: Re: UST field citation form for expedited settlement

---

Christine,

My review of the documents demonstrates that on the date of the inspection (5/9/2011), product above 1" remained in all the USTs,  
Product was pumped from the USTs over two weeks later, therefore the USTs were in violation, and a Field Citation issued.

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
(917) 464-5583 Alternate Phone for Mon & Wed only  
(212) 637-4211 (fax)  
R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

Christine Sanz

Rebecca, I received the above referenced docu...

02/07/2012 09:02:30 AM

From: Christine Sanz <Christine.Sanz@njmeadowlands.gov>  
To: Rebecca Jamison/R2/USEPA/US@EPA  
Date: 02/07/2012 09:02 AM  
Subject: UST field citation form for expedited settlement

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Rebecca,

I received the above referenced document issued by your office on January 31, 2011. Was this sent in error? I thought we had answered EPA's questions regarding the USTs at the property at issue.

If it was not sent in error, can you please clarify what violation is being issued and why?

Thank you in advance for your help.

Sincerely,  
Christine Sanz

Notice: This e-mail message and any attachment to this e-mail message may contain information that may be legally privileged and confidential from the State of New Jersey, New Jersey Meadowlands Commission. If you are not the intended recipient, you must not review, transmit, convert to hard copy, copy, use, or disseminate this e-mail or any attachment to it. If you have received this e-mail in error, Please immediately notify us by return e-mail or by telephone at 201-460-1700 and delete the message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of the message or any attachment may not have been produced by the State of New Jersey, New Jersey Meadowlands Commission. This notice is automatically appended to each e-mail message leaving the State of New Jersey, New Jersey Meadowlands Commission.

R.J.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JAN 31 2012

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article Number: 7005 3110 0000 5950 9654

Christine A. Sanz  
Director of Legal Affairs  
New Jersey Meadowlands Commission  
Two DeKorte Park Plaza  
Lyndhurst, NJ 07071

Re: Field Citation No. II-UST-FC-845EC  
New Jersey Meadowlands Commission  
North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ 07047  
Facility ID Number: 017892

Dear Ms. Sanz:

An Underground Storage Tank (UST) inspection performed at your facility on or about May 9, 2011 revealed that violations of federal UST regulations were present. The enclosed **PROPOSED EXPEDITED ENFORCEMENT COMPLIANCE ORDER AND SETTLEMENT AGREEMENT** provides a list of the identified federal UST violation(s), associated penalty amount(s), and instructions for submitting payment and submitting documentation that the UST violation(s) at the facility has been corrected. Please review the Proposed Expedited Enforcement Compliance Order and Settlement Agreement and accompanying instructions carefully, and respond as indicated in the instructions. **PLEASE NOTE:** If you agree to enter into this expedited agreement, and unless you have applied for an extension as outlined in the instructions, you have thirty (30) days from your receipt of the proposed expedited enforcement compliance order and settlement agreement to pay the penalty, and return the signed document and documentation demonstrating compliance to EPA.

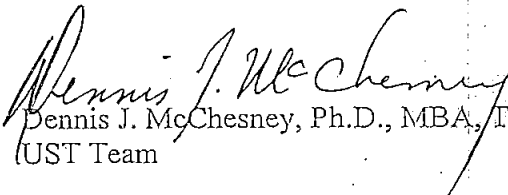
Please direct all correspondence to:

Dennis J. McChesney, Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007  
Attn: Rebecca Jamison

If you have any questions regarding this letter or other related matter, please contact Rebecca Jamison of my staff at (212) 637-3948 or jamison.rebecca@epa.gov.

Thank you for your cooperation.

Sincerely,



Dennis J. McChesney, Ph.D., MBA, Team Leader.  
UST Team

Enclosures

cc: Mike Hastry, Manager 4 WM  
Bureau of Hazardous Waste & UST Compliance Enforcement  
New Jersey Dept. of Environmental Protection  
Mail Code 09-03  
P.O. Box 420  
Trenton, NJ 08625-0420

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2**

*290 Broadway, New York, NY 10007-1866*

**UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-845EC**

**PART I: INSPECTION SUMMARY**

On: May 9, 2011  
(Date of Inspection)

Time: N/A

At: New Jersey Meadowlands Commission 017892  
(Facility Name and Identification Number)

Address: North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ 07047

(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator:

Affiliation: Owner

Name: New Jersey Meadowlands Commission

Address:  
Lyndhurst, NJ 07071

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to continue operation and maintenance of release detection in a temporarily closed tank system

Cite: §280.70(a)  
Proposed Penalty: \$420

2. Violation:  
Cite:  
Proposed Penalty: \$

3. Violation:  
Cite:  
Proposed Penalty: \$

4. Violation:  
Cite:  
Proposed Penalty: \$

5. Violation:  
Cite:  
Proposed Penalty: \$

6. Violation:  
Cite:  
Proposed Penalty: \$

7. Violation:  
Cite:  
Proposed Penalty: \$

**PROPOSED PENALTY TOTAL: \$420**

EPA finds the Owner or Operator in violation of the above referenced UST regulations.

(Signature of Authorized Officer or Employee of EPA)

Date: 7/31/12

**PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER**

**A. Settlement Agreement:** The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$420 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 2, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

**SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:**

Name (print): \_\_\_\_\_

Title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**B. Compliance Order:** This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

**SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:**

Name (print): Dennis J. McChesney

Title (print): Team Leader, UST Team

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Notes:**



## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (sufficient for EPA to track payment) to EPA at the following address (within the 30-day time limit specified below):

Dennis J. McChesney, Ph.D, MBA, Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

**Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements.** EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

**Timeline:** The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

**Requesting An Extension:** EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

**Requesting that EPA Modify or Withdraw the Form:** If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

**Payment:** Payment can be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers and online payment are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

**Settlement Agreement Certification:** By signing the Settlement Agreement in Part II, you are certifying under penalty of law that you have corrected the violations, submitted true and accurate documentation of compliance, and have paid the penalty. Failure to meet those conditions means you will remain liable for the original violations with the possibility of being liable for additional violations for noncompliance with the Compliance Order and for making a false representation to the U.S. Government.

**EPA Review:** Once EPA has received the Form, EPA will review it and the documentation of compliance, and verify that payment was made. If EPA decides to settle the case using this Field Citation, EPA will sign and approve the Settlement Agreement and the Compliance Order and send a copy of the completed Form to you. Once EPA has signed the Compliance Order and Settlement Agreement, you and EPA are bound by their terms. EPA reserves the right not to pursue settlement under the Field Citation and instead pursue formal enforcement. In that event, you will be promptly reimbursed for the amount you paid into the U.S. Treasury when submitting the Field Citation.

If you have any questions, please contact Rebecca Jamison of my staff at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

*Revised March 2009*

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2

290 Broadway, New York, NY 10007-1866

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-845EC

PART I: INSPECTION SUMMARY

On: May 9, 2011  
(Date of Inspection)

Time: N/A

At: New Jersey Meadowlands Commission 017892  
(Facility Name and Identification Number)

Address: North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ 07047

(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator:

Affiliation: Owner

Name: New Jersey Meadowlands Commission

Address: Lyndhurst, NJ 07071

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to continue operation and maintenance of release detection in a temporarily closed tank system

Cite: §280.70(a)

Proposed Penalty: \$420

2. Violation:

Cite:

Proposed Penalty: \$

3. Violation:

Cite:

Proposed Penalty: \$

4. Violation:

Cite:

Proposed Penalty: \$

5. Violation:

Cite:

Proposed Penalty: \$

6. Violation:

Cite:

Proposed Penalty: \$

7. Violation:

Cite:

Proposed Penalty: \$

PROPOSED PENALTY TOTAL: \$420

EPA finds the Owner or Operator in violation of the above referenced UST regulations

(Signature of Authorized Officer or Employee of EPA)

Date: 1/31/12

PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

A. Settlement Agreement: The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$420 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 2, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

Name (print): \_\_\_\_\_

Title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

B. Compliance Order: This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (print): Dennis J. McChesney

Title (print): Team Leader, UST Team

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notes:



## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (sufficient for EPA to track payment) to EPA at the following address (within the 30-day time limit specified below):

Dennis J. McChesney, Ph.D, MBA, Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

**Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements.** EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

**Timeline:** The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

**Requesting An Extension:** EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

**Requesting that EPA Modify or Withdraw the Form:** If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

**Payment:** Payment can be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers and online payment are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

**Settlement Agreement Certification:** By signing the Settlement Agreement in Part II, you are certifying under penalty of law that you have corrected the violations, submitted true and accurate documentation of compliance, and have paid the penalty. Failure to meet those conditions means you will remain liable for the original violations with the possibility of being liable for additional violations for noncompliance with the Compliance Order and for making a false representation to the U.S. Government.

**EPA Review:** Once EPA has received the Form, EPA will review it and the documentation of compliance, and verify that payment was made. If EPA decides to settle the case using this Field Citation, EPA will sign and approve the Settlement Agreement and the Compliance Order and send a copy of the completed Form to you. Once EPA has signed the Compliance Order and Settlement Agreement, you and EPA are bound by their terms. EPA reserves the right not to pursue settlement under the Field Citation and instead pursue formal enforcement. In that event, you will be promptly reimbursed for the amount you paid into the U.S. Treasury when submitting the Field Citation.

If you have any questions, please contact Rebecca Jamison of my staff at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

*Revised March 2009*

## U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2

290 Broadway, New York, NY 10007-1866

## UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-845EC

## PART I: INSPECTION SUMMARY

On: May 9, 2011Time: N/A

(Date of Inspection)

At: New Jersey Meadowlands Commission 017892

(Facility Name and Identification Number)

Address: North Arlington Transfer Station 1 Disposal RoadNorth Arlington, NJ 07047

(Name of On-site Representative if not the Owner or Operator)

Name and address of the UST Owner or Operator:

Affiliation: OwnerName: New Jersey Meadowlands Commission

Address:

Lyndhurst, NJ 07071

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to continue operation and maintenance of release detection in a temporarily closed tank system

Cite: §280.70(a)Proposed Penalty: \$420

2. Violation:

Cite:

Proposed Penalty: \$

3. Violation:

Cite:

Proposed Penalty: \$

4. Violation:

Cite:

Proposed Penalty: \$

5. Violation:

Cite:

Proposed Penalty: \$

6. Violation:

Cite:

Proposed Penalty: \$

7. Violation:

Cite:

Proposed Penalty: \$

PROPOSED PENALTY TOTAL: \$420

EPA finds the Owner or Operator in violation of the above referenced UST regulations.


  
(Signature of Authorized Officer or Employee of EPA)
Date: 1/31/12

## PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

A. Settlement Agreement: The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$420 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

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## SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

Name (print): \_\_\_\_\_

Title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

B. Compliance Order: This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

## SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:

Name (print): Dennis J. McChesneyTitle (print): Team Leader, UST Team

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notes:

## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

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Dennis J. McChesney, Ph.D., MBA, Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007

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**Requesting that EPA Modify or Withdraw the Form:** If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

**Payment:** Payment can be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers and online payment are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

**Settlement Agreement Certification:** By signing the Settlement Agreement in Part II, you are certifying under penalty of law that you have corrected the violations, submitted true and accurate documentation of compliance, and have paid the penalty. Failure to meet those conditions means you will remain liable for the original violations with the possibility of being liable for additional violations for noncompliance with the Compliance Order and for making a false representation to the U.S. Government.

**EPA Review:** Once EPA has received the Form, EPA will review it and the documentation of compliance, and verify that payment was made. If EPA decides to settle the case using this Field Citation, EPA will sign and approve the Settlement Agreement and the Compliance Order and send a copy of the completed Form to you. Once EPA has signed the Compliance Order and Settlement Agreement, you and EPA are bound by their terms. EPA reserves the right not to pursue settlement under the Field Citation and instead pursue formal enforcement. In that event, you will be promptly reimbursed for the amount you paid into the U.S. Treasury when submitting the Field Citation.

If you have any questions, please contact Rebecca Jamison of my staff at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

*Revised March 2009*



**From:** Rebecca Jamison/R2/USEPA/US  
**To:** Christine.Sanz@njmeadowlands.gov  
**Cc:** Rebecca Jamison/R2/USEPA/US@EPA

**Date:** Wednesday, January 25, 2012 02:47PM  
**Subject:** Re: Response to EPA Information Request Letter

Ms. Sanz:

I am reviewing NJMC response dated 1/13/2012 in response to EPA's inquiry about Underground Storage Tanks.  
In the reply NJMC indicates there is less than 1" of product in each of the USTs.  
The April 2011 EcoLogic Tank tests show more than 1" of product in each of the USTs.  
The next 4 pages in the attachment from Lorco Petroleum Services from May 2011 (?) is too faded to read the handwriting. I gather these documents have something to do with pumping out the USTs?

Can the Lorco Petroleum documents be re-scanned (darker) and resubmitted (via email is fine).

Please contact me if you have questions.

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
(917) 464-5583 Alternate Phone for Mon & Wed only  
(212) 637-4211 (fax)  
R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

-----Christine Sanz <[Christine.Sanz@njmeadowlands.gov](mailto:Christine.Sanz@njmeadowlands.gov)> wrote: -----

To: Rebecca Jamison/R2/USEPA/US@EPA  
From: Christine Sanz <[Christine.Sanz@njmeadowlands.gov](mailto:Christine.Sanz@njmeadowlands.gov)>  
Date: 12/27/2011 03:28PM  
Subject: Request for Extension

Dear Ms. Jamison:

As a follow up to our conversation earlier today, the NJMC respectfully requests an extension of time to answer the EPA's letter regarding Facility ID 017892, North Arlington Transfer Station.

Your consideration of this request is appreciated.

Sincerely,



RE: Response to EPA Information Request Letter  
Christine Sanz

to:

Rebecca Jamison

01/26/2012 11:37 AM

Hide Details

From: Christine Sanz <Christine.Sanz@njmeadowlands.gov>

To: Rebecca Jamison/R2/USEPA/US@EPA

1 Attachment



Lorco20120126100506.pdf

Dear Ms. Jamison,

Attached is the Lorco document indicating there is less than 1" of material in the USTs.

Please let me know if you need anything else.

Thanks.

Christine

---

**From:** Rebecca Jamison [<mailto:Jamison.Rebecca@epamail.epa.gov>]

**Sent:** Wednesday, January 25, 2012 2:47 PM

**To:** Christine Sanz

**Cc:** Rebecca Jamison

**Subject:** Re: Response to EPA Information Request Letter

Ms. Sanz:

I am reviewing NJMC response dated 1/13/2012 in response to EPA's inquiry about Underground Storage Tanks.

450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

854785

RECEIVED  
BILL TO (IF DIFFERENT FROM LOCATION)

GENERATOR/LOCATION **New Jersey Meadowlands**  
SALES ORDER # **3928585**  
NAME **Former Bergen County, Utility**  
INFORMATION/ATTENTION LINE **Disposal**  
DELIVERY ADDRESS **1000**  
CITY **Harrison** STATE **NJ** ZIP **07034**  
PHONE NUMBER **201-641-1111** PURCHASE ORDER NUMBER  
TIME IN TIME OUT

NAME **New Jersey Meadowlands**  
INFORMATION/ATTENTION LINE **Disposal**  
DELIVERY ADDRESS **1**  
CITY **Deport Park Plaza** STATE **NJ** ZIP **07034**  
PHONE NUMBER **201-641-1111** PURCHASE ORDER NUMBER  
MANIFEST NUMBER **936926**

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

NO.	TYPE	QTY.	UNIT	US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)	SALES REPRESENTATIVE
-----	------	------	------	---	----------------------

SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL	1072	2600	N/A			
40300	ANTIFREEZE REMOVAL	1072	400 gal	N/A			
40400	OILY WATER DISPOSAL	1072	400 gal	N/A			
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X PPM

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES, REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \$

PAYMENT RECEIVED SECTION

CASH <input type="checkbox"/>	TOTAL RECEIVED
CHECK NUMBER	

In accordance with NJAC7-26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X **Bill Jones**  
Print Name  
X **Bill Jones**  
Signature  
Date **5-86-1**

LORCO REPRESENTATIVE

ORIGINAL

PARTS WASHER SERVICE INTERVAL **will call**  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261. GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☒ used oil ☐ used antifreeze  
☒ oily water ☐ oil filter ☐ parts washer solvent

☐ Other \_\_\_\_\_

In accordance the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X **Angelo URATO**  
Print Name  
X **Angelo Urato**  
Signature  
Date **5-26-14**

GENERATOR/CUSTOMER



**LORCO**  
PETROLEUM SERVICES

STANDARD  
COLLECTION  
ORDER FORM

853165

SHIPPING INFORMATION			
This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation			
NO.	TYPE	QTY.	UNIT
US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)			
			SALES REPRESENTATIVE

PARTS WASHER SERVICE INTERVAL \_\_\_\_\_ DAYS.  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR/CUSTOMER

X PPM

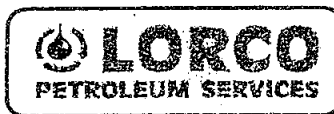
X R. Dierenzi  
Print Name

X [Signature] 5/31/11  
Signature Date

LORCO REPRESENTATIVE

ORIGINAL

Lorco Petroleum Services  
450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

31673 854788

GENERATOR/LOCATION

SALES ORDER #

BILL TO (IF DIFFERENT FROM LOCATION)

NAME: New Jersey Meadowlands Comm NAME: NJ Meadowlands Comm  
INFORMATION ATTENTION LINE: ACCOUNT APPROVAL INFORMATION ATTENTION LINE: ACCOUNT APPROVAL  
DELIVERY ADDRESS: 1 Disposal Rd DELIVERY ADDRESS: 1 Berkort Park Plaza  
CITY: North Haverhill CITY: Windhurst  
STATE: NY STATE: NY  
PHONE NUMBER: 931927 PHONE NUMBER: 931927  
TIME IN: TIME OUT: MANIFEST NUMBER: 931927

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation

NO. TYPE QTY. UNIT US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number) SALES REPRESENTATIVE

SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL	<u>11-D</u>	<u>1000 gal</u>	<u>101</u>			
40300	ANTIFREEZE REMOVAL						
40400	OILY WATER DISPOSAL						
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

PARTS WASHER SERVICE INTERVAL will call  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261, GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☒ used oil ☐ used antifreeze  
☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other \_\_\_\_\_ Description \_\_\_\_\_  
In accordance with the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X Angelo Iurato Title 31/11  
Print Name Angelo Iurato  
Signature Angelo Iurato Date 31/11  
GENERATOR/CUSTOMER

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X Angelo Iurato  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X \_\_\_\_\_ PPM

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES, INITIAL \$ \_\_\_\_\_

PAYMENT RECEIVED SECTION

CASH <input type="checkbox"/>	TOTAL RECEIVED
CHECK NUMBER	

In accordance with NJAC 7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X Billy Jones Print Name  
X Billy Jones Signature  
Date 5-31-11  
LORCO REPRESENTATIVE





RE: Response to EPA Information Request Letter

Christine Sanz

to:

Rebecca Jamison

01/26/2012 11:37 AM

Hide Details

From: Christine Sanz <Christine.Sanz@njmeadowlands.gov>

To: Rebecca Jamison/R2/USEPA/US@EPA

1 Attachment



Lorco20120126100506.pdf

Dear Ms. Jamison,

Attached is the Lorco document indicating there is less than 1" of material in the USTs.

Please let me know if you need anything else.

Thanks.

Christine

---

**From:** Rebecca Jamison [<mailto:Jamison.Rebecca@epamail.epa.gov>]

**Sent:** Wednesday, January 25, 2012 2:47 PM

**To:** Christine Sanz

**Cc:** Rebecca Jamison

**Subject:** Re: Response to EPA Information Request Letter

Ms. Sanz:

I am reviewing NJMC response dated 1/13/2012 in response to EPA's inquiry about Underground Storage Tanks.

1-25-2012

1. VSTs + Lines FB - NO CP required
2. RD - VSTs - 4" inch - ?
3. Suction - NO ALD required
4. F.A. - out of service ~~train~~  
- Stat agency - Exempt from F.A. - ??

\* 2 - April 2011 tests - <sup>more than</sup> 1" product in each US  
May 2011 (?) Loco paperwork - too faded to read

Property to NJMC NOV 5, 2010  
EPA Inspection MAY 9, 2011  
Tanks Emptied - ? MAY 26-31, 2011

Violation -

280.70(a)

Failure to continue maintain RD in  
temp closed tank.

NOV 5, 2010 thru MAY 26, 2011

~~280.71(b)~~

~~Failure to remove all liquid & sludge for tank closure~~ → removed MAY 2011



## New Jersey Meadowlands Commission

**Administration Building:** One DeKorte Park Plaza ☎ Phone: 201-460-1700 ☎ Fax: 201-460-1722  
**Meadowlands Environment Center:** Two DeKorte Park Plaza ☎ Phone: 201-460-8300 ☎ Fax: 201-842-0630  
Lyndhurst, NJ ☎ 07071 [www.njmeadowlands.gov](http://www.njmeadowlands.gov)

January 13, 2012

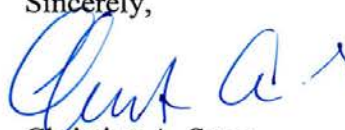
Dennis J. McChesney, Team Leader  
UST Team  
Division of Enforcement and Compliance Assistance  
US Environmental Protection Agency  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007-1866

Dear Mr. McChesney:

Enclosed with this letter please find the New Jersey Meadowlands Commission's response to the Request for Information sent by your agency. The NJMC appreciates the extension granted by your office and has endeavored to provide all of the information requested. The NJMC has made best efforts to obtain all of the information necessary to answer your Request. These efforts have been challenging because the NJMC never operated the tanks and only recently was able to obtain historical records from the entity that owned the property and tanks during operation. Our responses, therefore, are largely based upon those records.

Should you require anything further, please do not hesitate to contact me.

Sincerely,



Christine A. Sanz  
Director of Legal Affairs  
Chief Counsel

Cc: Thomas Marturano, NJMC

RESPONSE TO INFORMATION REQUEST FROM THE EPA REGARDING THE  
UNDERGROUND STORAGE TANKS LOCATED AT THE  
NEW JERSEY MEADOWLANDS COMMISSION  
NORTH ARLINGTON TRANSFER STATION,  
1 DISPOSAL ROAD, NORTH ARLINGTON, NEW JERSEY

Prepared by the New Jersey Meadowlands Commission

Dated: January 12, 2012

RESPONSE TO INFORMATION REQUEST FROM THE EPA REGARDING THE  
UNDERGROUND STORAGE TANKS LOCATED AT THE  
NEW JERSEY MEADOWLANDS COMMISSION  
NORTH ARLINGTON TRANSFER STATION,  
1 DISPOSAL ROAD, NORTH ARLINGTON, NEW JERSEY

1. The property owner is:

The New Jersey Meadowlands Commission (NJMC)  
One DeKorte Park Plaza  
Lyndhurst, New Jersey 07071

The property was obtained by the NJMC on November 5, 2010. A copy of the deed is attached as Appendix A.

2. The NJMC has never operated the USTs. When the NJMC received the property the tanks were no longer operational. The NJMC emptied the tanks and leak tested them. Copies of the documentation regarding the emptying and testing of the tanks are included in Appendix B. All of the tanks passed and were certified leak free.

The underground storage tanks (USTs) are on property owned by:

The New Jersey Meadowlands Commission  
One DeKorte Park Plaza  
Lyndhurst, New Jersey 07071

3. The property owner and tank owner is the same entity (NJMC).
4. The name and address of the property where the tanks are located is as stated in the title of this document. The mailing address for any correspondence regarding this site is NJMC, One DeKorte Park Plaza, Lyndhurst, New Jersey 07071.
5. The NJMC has never operated the USTs. Therefore, we have only incomplete historical data which we recently obtained from the previous owner. This information, consisting of an Underground Storage Tank Facility Certification Questionnaire, a Tank Survey Form for each of the five tanks (dated March 20, 1998 prepared by the Bergen County Utilities Authority, the original owners of the USTs), and a Registration Certificate dated 05/01/2002, is attached as Appendix C. This is the only historical information available to us.
6. Based on the information contained in the attached Underground Storage Tank Facility Certification Questionnaire (Appendix C), the USTs were installed during 1988. There is no information regarding the month or date.

7. As indicated in Appendix C, the following lists the sizes and contents of each tank:

<u>Tank No.</u>	<u>Tank Size</u>	<u>Tank Contents</u>
E1	6,000 gallons	Medium Diesel Fuel (No. 2-D)
E2	1,000 gallons	Medium Diesel Fuel (No. 2-D)
E3	1,000 gallons	Medium Diesel Fuel (No. 2-D)
E4	1,000 gallons	Unleaded Gasoline
E5	550 gallons	Waste Oil

All of these tanks are empty and have passed leak testing (See Appendix B).

8. As indicated in Appendix C, all tanks and piping are constructed of fiberglass reinforced plastic. Information regarding the tank manufacturer is unavailable.

9. As indicated in Appendix C, all the tanks have "Safe" suction piping.

10. As indicated in Appendix C, all the tanks have an overfill protection device consisting of a flow restrictor.

11. As indicated in Appendix C, all the tanks have a spill protection device consisting of a spill bucket or product-tight chamber.

12. As the piping is fiberglass reinforced plastic, no corrosion protection is required.

13. The NJMC was not the owner of the tanks when they were operational and has no information regarding leak detection during operation of the tanks. When the NJMC received the property the tanks were no longer in operation. However, the NJMC did empty the tanks and test them for leakage. As indicated, all tanks were leak free (See documentation in Appendix B).

14. As the piping is not pressurized, leak detection is not required.

15. Information regarding the dates the tanks were taken out of service is not available. However, the tanks were out of service when the NJMC received the property on November 5, 2010. As previously stated, since then all tanks have been out of service and were emptied to a level of less than 1 inch of product and leak tested. The tanks meet the "temporary closed" requirements of 40 C.F.R. §280.70(a).

16. The tanks are not permanently closed.

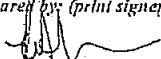
17. The NJMC is a state agency and per 40 C.F.R. §280.90(c) is therefore exempt from the financial responsibility requirements of 40 C.F.R. §280 Subpart H.

18. The NJMC does not own or operate any other USTs.

APPENDIX A

Deed dated November 5, 2010 conveying property from Encap Phase 2, LLC to NJMC

Applies to Response for Item No. 1

Prepared by: (print signer's name below signature)  
  
 Peter J. Wolfson  
 Attorney at Law of the State of New Jersey

10-094975 DocId: 34466666  
 Yr: 00578 Pgr 0456-0466 Rec. Fee \$143.00  
 Kathleen A. Donovan, Bergen County Clerk  
 Recorded 11/12/2010 03:16:49 PM

DEED

This Deed is made on November 5, 2010

Consideration : \$0.00  
 Realty Transfer Fee : \$0.00  
 State Portion : \$0.00  
 County Portion : \$0.00  
 Municipality Portion : \$0.00

BETWEEN

ENCAP PHASE 2, LLC  
 a Delaware Limited Liability Company

whose post office address is: 111 E. Hargett Street, Suite 300, Raleigh, NC 27601

referred to as the Grantor,

AND

NEW JERSEY MEADOWLANDS COMMISSION,

A body corporate and politic and a political subdivision of the State of New Jersey

whose post office address is: One DeKorte Park Place, Lyndhurst, NJ 07071

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (call the "Property") described below to the Grantee. This transfer is made in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS and for the release of certain guaranty obligations pursuant to that certain Settlement Agreement by and among Grantee and Cherokee Investment Partners II, L.P. and Cherokee Investment Partners III Parallel Fund, L.P. dated November 5, 2010. The Grantor acknowledges receipt of this consideration.

2. **Tax Map Reference.** (N.J.S.A. 46:15-1.1) Municipality of Borough of North Arlington Block No. 174, Lot 1.01; Block 154, Lot 2.01, which were previously misidentified as Block No. 174 Lots 1.01, 2.01, 3.01 and 4.01; Block 154 Lots 1.01 and 2; Block 300 Lots 11 through 15; Portion of Block 300 Lot 16; and Portion of Block 300 Lot 1. See Addendum attached hereto as Exhibit B.

☐ (Check Box if Applicable.)

No property tax identification number is available on the date of this Deed.

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Borough of North Arlington, County of Bergen and State of New Jersey. The legal description is:

☒

(Check Box if Applicable.) Please see attached Legal Description annexed hereto and made a part hereof as Schedule A.



Being the same premises conveyed to Grantor by Deed from Encap Golf Holdings, LLC, a Delaware limited liability company, dated August 17, 2007, and recorded in the Bergen County Clerk's Office on September 20, 2007 in Deed Book 09412, Page 267, et seq.

Subject to easements, restrictions, covenants of record, state and municipal regulations and ordinances and such state of facts as an accurate survey may disclose

The street address of the Property is; 290-500 Schuyler Avenue

4. Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

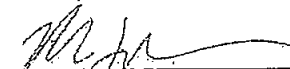
5. Release of Liabilities. Grantee acknowledges, agrees, and, by virtue of its execution below, hereby releases Grantor from all responsibility, liabilities, obligations and duties that were assumed by Grantor: (i) in its Deed from Encap Golf Holdings, LLC ("Encap Golf Holdings"), a Delaware limited liability company, dated August 17, 2007, and recorded in the Bergen County Clerk's Office on September 20, 2007 in Deed Book 09412, Page 267, et seq., pursuant to that certain BCUA/Transit Site Deed and Declaration of Covenants, Conditions, Restrictions, Reservations and Easements dated August 9, 2009, executed by Grantee in favor of Encap Golf Holdings, which instrument was recorded in the Office of the Clerk of Bergen County, NJ and filed in Book 9126, Page 559, et seq.; and (ii) as set forth in that certain Agreement for Purchase and Sale of BCUA/Transit Site, Baler Site, and 1-E Landfill Lease, dated August 9, 2006, by and between Grantee and Encap Golf Holdings, LLC which instrument was recorded in the office of the Clerk of Bergen County, NJ and filed in Book 9129, Page 421, et seq., *provided, however*, that the foregoing release shall not extend or apply to any costs or obligations associated with the remediation, removal and/or disposal of that certain soil piled in bulk, as of November 5, 2010, on Block 154, Lot 2.01, and potentially also partially on Block 174, Lot 1.01, of the property which is the subject of this deed, and located, as one enters the property off of Disposal Road, on the left just beyond the scale house and before reaching the structure known as the "BCUA" building, and as depicted in on the marked copy of that certain subdivision map prepared by Neglia Engineering Associates, entitled "Minor Subdivision, Block 174, Lots 1, 2, 3, 4, Block 154, Lots 1, 2, Borough of North Arlington, Bergen County, New Jersey," dated July 19, 2001, last revised on March 28, 2006, and recorded as Map No. 9436 in the map room of the Bergen County Clerk's Office on April 24, 2006, attached hereto as Exhibit C, to the extent such remediation, removal and/or disposal is required by a governmental agency with authority over the Property due to noncompliance of such soil with applicable state or federal environmental laws or regulations.

6. Signatures. The Grantor signs this Deed as of the date at the top of the first page, (Print name below each signature.)

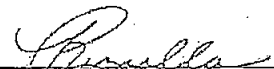
[SIGNATURES ON FOLLOWING PAGE]

Witnessed By:

ENCAP PHASE 2, LLC

  
Matthew S. Schiller, Esq.


BY:

  
Name: Frank Pizzella  
Title: President

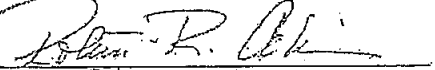
The foregoing Deed, from Grantor to Grantee is hereby accepted and agreed to by Grantee, effective as of the date of said Deed

Witnessed By:

NEW JERSEY MEADOWLANDS COMMISSION

  
John S. Stolz

BY:

  
Name: Robert R. Cebere  
Title: Executive Director

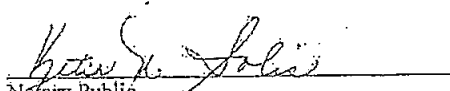
STATE OF NEW JERSEY

)  
) ss.:  
)

COUNTY OF BERGEN

I CERTIFY that on November 5, 2010, Frank Pizzella personally came before me and this person acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed the attached document as the President of Encap Phase 2, LLC, the limited liability company named in the attached document;
- (b) signed, sealed and delivered the attached documents as his or her act and deed, on behalf of said limited liability company.
- (c) acknowledged receipt of the full and actual consideration paid or to be paid for the transfer of title in the sum of TEN and 00/100 (\$10.00) DOLLARS and for the release of certain guaranty obligations pursuant to that certain Settlement Agreement by and among Grantee and Cherokee Investment Partners II, L.P. and Cherokee Investment Partners III Parallel Fund, L.P. dated November 5, 2010. (Such consideration is defined in N.J.S.A. 46:15-5).

  
Notary Public

KETIA N. SOLIS  
Notary Public of New Jersey  
My Commission Expires Aug. 13, 2013

STATE OF NEW JERSEY

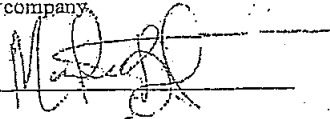
COUNTY OF ESSEX

)  
) ss.:  
)

I CERTIFY that on November 5 2010, Robert R. Ceberio personally came before me and this person acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed the attached document as the Executive Director of the New Jersey Meadowlands Commission, the body corporate and politic and political subdivision of the State of New Jersey, named in the attached document;
- (b) signed, sealed and delivered the attached documents as his or her act and deed, on behalf of said limited liability company.

Notary Public



**NOTARY PUBLIC**  
A Notary Public of New Jersey  
My Commission Expires October 1, 2015

RECORD & RETURN TO:  
Phoenix Title Agency, LLC  
12 Tanager Run  
Kinnelon, NJ 07405-3025

## SCHEDULE A

All that tract or parcel of land and premises, situate, lying and being in the Borough of North Arlington in the County of Bergen and State of New Jersey, more particularly described as follows:

All that certain parcel or tract of land situate in the Borough of North Arlington, County of Bergen, and the State of New Jersey, as shown on a plan entitled, "Boundary Survey of Lots 1.01, 2.01, 3.01, 4.01, Block 174, Lots 1.01, 2, block 154, Lots 1-15, Block 300, Portion of Lot 16, Block 300 and Portion of Lot 1, Block 300, Borough of North Arlington, Bergen County, New Jersey", prepared by Paulus, Sokolowski, and Sartor L.L.C dated April 11, 2006 and last revised on 5/02/06, Sheet 1 of 1 and being bounded and described as follows:

Commencing at a point of intersection between the northerly line of "Final Plat, North Arlington Heights, situated in the Borough of North Arlington, Bergen County, New Jersey," filed in Bergen County Clerk's Office on December 9, 1960 as a map 5626 and the easterly side of the Schuyler Avenue (as shown on said Filed Map), thence South 53 degrees 22 minutes 34 seconds East a distance of 561.87 feet to the point of beginning and running from the beginning point herein described, thence

1. Along subdivision line as shown on map entitled: "Minor Subdivision, Block, 174, Lot 1, 2, 3, 4, Block 154, Lot 1, 2, Borough of North Arlington, Bergen County, New Jersey" as prepared by Neglia Engineering Associates, dated 7/19/01 and last revised 7-13-2004, following sixteen courses, North 32 degrees 57 minutes 46 seconds East, a distance of 80.40 feet to a point; thence
2. North 03 degrees 02 minutes 19 seconds West, a distance of 170.90 feet to a point; thence
3. North 09 degrees 18 minutes 03 seconds East, a distance of 92.00 feet to a point; thence
4. North 19 degrees 23 minutes 53 seconds East, a distance of 316.95 feet to a point; thence
5. North 22 degrees 24 minutes 44 seconds West, a distance of 30.00 feet to a point; thence
6. North 14 degrees 38 minutes 19 seconds East a distance of 138.76 feet to a point; thence
7. North 26 degrees 45 minutes 33 seconds East, a distance of 350.00 feet to a point; thence
8. North 35 degrees 01 minutes 36 seconds East, a distance of 127.00 feet to a point; thence
9. North 22 degrees 13 minutes 20 seconds East, a distance of 138.00 feet to a point; thence
10. North 14 degrees 25 minutes 02 seconds East, a distance of 108.85 feet to a point; thence
11. North 27 degrees 14 minutes 51 seconds East, a distance of 175.06 feet to a point; thence
12. North 23 degrees 36 minutes 22 seconds East, a distance of 80.00 feet to a point;

## SCHEDULE A

thence

13. North 11 degrees 58 minutes 18 seconds East, a distance of 213.10 feet to a point;
14. North 18 degrees 40 minutes 06 seconds East, a distance of 309.63 feet to a point;  
thence
15. North 11 degrees 49 minutes 53 seconds East, a distance of 183.54 feet to a point;  
thence
16. North 15 degrees 05 minutes 25 seconds East a distance of 224.16 feet to a point in the northerly line of lands formerly of George Eckhardt as per Deed Book 1304, Page 671;  
thence.
17. North 67 degrees 38 minutes 47 seconds West, a distance of 31.38 feet along the said northerly line to a point in the easterly line of Schuyler Avenue as per Deed Book 1477, Page 516; thence
18. North 16 degrees 21 minutes 45 seconds East, distance of 150.82 feet along the said easterly line to a point lying in the line that is measured 150 feet northerly and at right angles to the 18<sup>th</sup> course herein described; thence
19. South 67 degrees 38 minutes 47 seconds East, parallel to the 18th course herein described, a distance of 423.92 feet along the same to a point on curve, which point is 12.00 feet measured westerly and radially from the centerline of the existing rails; thence
20. Along the line which is 12.00 feet measured westerly and radially from the centerline of the existing rails on a curve to the left; having a radius of 1,655.80 feet, an arc length of 128.19, and whose chord bears South 24 degrees 04 minutes 49 seconds West a chord distance of 128.16 feet to a point of tangency; thence
21. South 21 degrees 51 minutes 45 seconds West, still along the same, a distance of 2,400.96 feet to a point of curvature; thence
22. Along the same on a curve to the left, having a radius of 5,748.15 feet, an arc length of 367.40, and whose chord bears South 20 degrees 01 minutes 53 seconds West, a chord distance of 367.34 feet to a point of intersection with a non-radial line; thence
23. North 53 degrees 22 minutes 34 seconds West, through a portion of Lot 1, Block 300 and along the said northerly line of the aforesaid Filed Map #5626, said line is a non radial line, a distance of 215.63 feet to the POINT OF BEGINNING.

For Information Only: See Addendum as to tax Lot/Block designations.

Exhibit B

Real Estate Tax Lot & Block Designation

Addendum

to

Deed

from

Encap Phase 2, LLC to New Jersey Meadowlands Commission

History:

The New Jersey Meadowlands Commission acquired title to Block 174, Lots 1, 2, 3 and 4 and Block 154, Lots 1 and 2 from The Bergen County Utilities Authority by deed dated May 21, 2002 and recorded June 12, 2002 in Deed Book 8477 page 399.

The New Jersey Meadowlands Commission obtained subdivision approval from the Borough of North Arlington on March 29, 2006, and the County of Bergen on April 24, 2006, to create Block 174, Lots 1.01, 1.02 and Block 154, Lots 2.01 and 2.02 as reflected on that subdivision map prepared by Neglia Engineering Associates, entitled Minor Subdivision, Block 174 Lot 1, 2, 3, 4 Block 154 Lot 1, 2, Borough of North Arlington, Bergen County, New Jersey, dated July 19, 2001 and last revised on March 28, 2006, recorded as Map Number 9436 in the map room of the Bergen County Clerk's Office on April 24, 2006.

The New Jersey Meadowlands Commission acquired title to Block 300, a portion of Lot 1, Lots 11, 12, 13, 14, 15, and a portion of Lot 16 ("Former NJ Transit Property"), by Deed from the New Jersey Transit Corporation ("NJ Transit"), dated May 3, 2006, recorded in the office of the Clerk of Bergen County on June 15, 2006 in Deed Book 9100 at Page 275.

The New Jersey Meadowlands Commission then conveyed the subdivided parcel reflected on the Filed Subdivision Map No. 9436 and the former NJ Transit Property to Encap Golf Holdings, LLC by deed dated August 9, 2006, recorded August 14, 2006 in the Bergen County Clerk's Office in Deed Book 9126 page 559.

Mistake:

Recitation in the deed on page 559 indicates that the New Jersey Meadowlands Commission had

*"obtained subdivision approval from the Borough of North Arlington on March 29, 2006, and the County of Bergen on April 24, 2006, to create Block 174, Lot 1.01, 2.01, 3.01, 4.01 and Block 154, Lots 1.01 and 2 ("Former BCUA Transfer Station Property") as reflected on that subdivision map prepared by Neglia Engineering Associates, entitled Minor Subdivision, Block 174 Lot 1, 2, 3, 4 Block 154 Lot 1, 2 Borough of North Arlington, Bergen County, New Jersey, dated July 19, 2001 and last revised on March 28, 2006, recorded as Map Number 9436 in the map room of the Bergen County Clerk's Office on April 24, 2006."*

Through inadvertence this recitation is incorrect. The lots references referred to above were from a prior and non adopted draft of the subdivision map. The last revised date of March 28, 2006 on the map that was filed indicates "proposed lot numbers and area calculations revised". It appears that the lot/block designations were changed at the very last moment before the subdivision was perfected by the filing of the map and parties to the transaction were working off of a non-adopted and non-filed version of the subdivision map.

This mistake was continued in a boundary survey prepared by Paulus Soklowski and Sartor, LLC dated April 11, 2006, which utilized the non-adopted lot/blocks. The deed to Encap Golf Holdings, LLC similarly misstated the tax lot and blocks. This error was continued in the deed from Encap Golf Holdings, LLC to Encap Phase 2, LLC in the deed dated August 17, 2007 and recorded September 20, 2007.

The tax rolls and tax map of the Borough of North Arlington were never changed to show the subdivided lots/blocks discussed above.

The Lot and Block designations that appear on the face of this deed are as per the filed subdivision map filed in Bergen County on April 26, 2006 as Map No. 9436.

300	1	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	2	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	3	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	4	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	5	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	10	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	11	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	12	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	13	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	14	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	15	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	16	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	17	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	18	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	19	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	20	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
300	21	New Jersey Transit	1 Penn Plaza East, Newark, NJ 07104
138	1	Holy Cross Cemetery	Ridge Road, North Arlington, NJ 07031
143	47	Sorcia, Henry & Josephine	88 Noel Drive, North Arlington, NJ 07031
143	48	Abbate, Frank C. & Renee	81 Noel Drive, North Arlington, NJ 07031
143	49	Martins, Manuel Sr. & Mary J.	551 Schuyler Avenue, North Arlington, NJ 07031
143	50	Gorda, Adam & Sophie	548 Schuyler Avenue, North Arlington, NJ 07031
145	13	Bolan, Barry	27 Eckhard Terrace, North Arlington, NJ 07031
145	14	Calebria, Emilio A. & Ann L.	25 Eckhard Terrace, North Arlington, NJ 07031
145	15	Turner, David & Laraine	26 Eckhard Terrace, North Arlington, NJ 07031
145	16	PSE&G	80 Park Place, Newark, NJ 07101
145	17	Norwak, Joseph Z. Marie	565 Schuyler Avenue, North Arlington, NJ 07031
145	18	Garcia, Pete & Bernadine	80 Noel Drive, North Arlington, NJ 07031
145	19	RHI, Joseph & Margaret McCashe	83 Noel Drive, North Arlington, NJ 07031
145	20	Klein, Louis A. & Mary R.	86 Noel Drive, North Arlington, NJ 07031
161	18	Chupa, Victor Frank & Helen	28 Eckhard Terrace, North Arlington, NJ 07031
151	20	Fargo, Neil & Sandra	26 Eckhard Terrace, North Arlington, NJ 07031

9436

2 of 2

S RESERVED.

**MINOR SUBDIVISION  
BLOCK 174 LOT 1, 2, 3, 4  
BLOCK 154 LOT 1, 2  
BOROUGH OF NORTH ARLINGTON  
BERGEN COUNTY NEW JERSEY**

MAP BY	J.B.	DRAWN BY	PROJCT NO.	SHEET NO.
DESIGNED BY	M.L.S.	SCALE	1"=50'	99795
FIELD BOOK NO. 347	PAGE 19-36	DATE	JULY 19, 2001	2 OF 2

PC# # S67587M Q 2/12

EXHIBIT "C"



WYLER AVENUE  
SOUTH WABASH TAX MAP

PROPOSED LOT 201

PROPOSED LOT 201

Block 174

Block 154

S 21st St

(CRS) Pile in Bulk



State of New Jersey  
**SELLER'S RESIDENCY CERTIFICATION/EXEMPTION**  
 (C.55, P.L. 2004)

GIT/REP-3  
 (6-10)

(Please Print or Type)

**SELLER(S) INFORMATION (See Instructions, Page 2)**

Name(s)

ENCAP PHASE 2, LLC

Current Resident Address:

Street: 111 E. Hargett Street, Suite 300

City, Town, Post Office

Raleigh

State

NC

Zip Code

27601

**PROPERTY INFORMATION (Brief Property Description)**

Block(s)

Lot(s)

Qualifier

174

1.01

154

2.01

Street Address:

290-500 Schuyler Avenue

City, Town, Post Office

North Arlington

State

NJ

Zip Code

07031

Seller's Percentage of Ownership

100%

Consideration \$10,00 and the release of certain guaranty obligations pursuant to Settlement Agreement by and among Grantee and Cherokee Investment Partners II, L.P. and Cherokee Investment Partners III Parallel Fund, L.P. dated November 5, 2010.

Closing Date

November 5, 2010

**SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to Residents and Non-residents)**

1. ☐ I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. ☐ I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☐ Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☒ Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. ☐ The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
7. ☐ The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).
- ☐ No non-like kind property received.
8. ☐ Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.

**SELLER(S) DECLARATION**

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box ☐ I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

Date

11.5.2010

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF New Jersey  
COUNTY EssexSS. County Municipal Code  
0239 North Arlington

MUNICIPALITY OF PROPERTY LOCATION

FOR RECORDER'S USE ONLY	
Consideration	\$ <u>510.00</u>
RTF paid by seller	\$ <u>EX</u>
Date	By <u>EX</u>

\*Use symbol "C" to indicate that fee is exclusively for county use.

## (1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent: Frank Pizzella (Name), being duly sworn according to law upon his/her oath, deposes andsays that he/she is the President of Grantor In a deed dated November 5, 2010 transferring

(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

real property identified as Block 174, Lot 1.01 &amp; Block 154, Lot 2.01 located at

290-500 Schuyler Avenue, North Arlington and annexed thereto.

(Street Address, Town)

(2) CONSIDERATION \$ 510.00 and the release of certain guaranty obligations pursuant to Settlement Agreement by and among Grantor and Cherokee Investment Partners II, L.P. and Cherokee Investment Partners III Parallel Fund, L.P. dated November 5, 2010. ☒ no prior mortgage to which property is subject.

(3) Property transferred is Class 4A ☒ 4B ☐ 4C. (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

## (3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ \_\_\_\_\_ + \_\_\_\_\_ % = \$ \_\_\_\_\_

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

## (4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1988, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

By or to the United States of America, this State, or any instrumentality, agency or subdivision

## (5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

A. SENIOR CITIZEN Grantor(s) ☐ 62 years of age or over. (Instruction #9 on reverse side for A or B)B. ☐ BLIND PERSON Grantor(s) ☐ legally blind or;☐ DISABLED PERSON Grantor(s) ☐ permanently and totally disabled ☐ receiving disability payments ☐ not gainfully employed\*

Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:

<input type="checkbox"/> Owned and occupied by grantor(s) at time of sale.	<input type="checkbox"/> Resident of State of New Jersey.
<input type="checkbox"/> One or two-family residential premises.	<input type="checkbox"/> Owners as joint tenants must all qualify.

\* IN THE CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

## C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

<input type="checkbox"/> Affordable according to H.U.D. standards.	<input type="checkbox"/> Reserved for occupancy.
<input type="checkbox"/> Meets income requirements of region.	<input type="checkbox"/> Subject to resale controls.

## (6) NEW CONSTRUCTION (Instructions #2, #10, and #12 on reverse side)

<input type="checkbox"/> Entirely new improvement.	<input type="checkbox"/> Not previously occupied.
<input type="checkbox"/> Not previously used for any purpose.	<input type="checkbox"/> "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

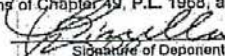
## (7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, and #14 on reverse side)

☒ No prior mortgages assumed or to which property is subject at time of sale.

☒ No contributions to capital by either grantor or grantee legal entity.

☒ No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 5th day of November, 2010
  
 Signature of Deponent

Encap Phase 2, LLC

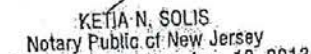
Grantor Name

One Meadowlands Plaza, Suite 810  
East Rutherford, New Jersey 07073111 E. Hargett St, Suite 300  
Charlotte, NC 28201

Deponent Address

XX-XXXX923

Grantor's EIN

  
 KETJA N. SOLIS  
 Notary Public of New Jersey  
 My Commission Expires Aug. 13, 2013

Instrument Number	_____	Book	_____
Deed Number	_____	Date Recorded	_____
Deed Dated	_____		

APPENDIX B

Tank Test Certifications prepared by Eco Logic

Copies of Documentation for Tank Emptying by LORCO Petroleum Services

Applies to Responses for Items No. 2, 7 and 13



**Eco Logic Environmental**

Eco Logic Tank Testing.com

## TANK TEST CERTIFICATION

April 19, 2011

Certification Number: SS11D172-1

Bergen County Utilities Authority  
72 Bushes Lane  
Elmwood Park, NJ 07407

Tank Location: Disposal Road, North Arlington, NJ

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	6,000	Diesel	34.000"	1.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EYZ 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EYZ 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EYZ 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic Environmental**

Eco Logic Tank Testing .com

## TANK TEST CERTIFICATION

April 19, 2011

Certification Number: SS11D172-2

Bergen County Utilities Authority  
72 Bushes Lane  
Elmwood Park, NJ 07407

Tank Location: Disposal Road, North Arlington, NJ

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	500	Waste Oil	28.000"	0.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EYZ 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EYZ 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EYZ 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance





**Eco Logic Environmental**

Eco Logic Tank Testing.com

## TANK TEST CERTIFICATION

April 19, 2011

Certification Number: SS11D172-3

Bergen County Utilities Authority  
72 Bushes Lane  
Elmwood Park, NJ 07407

**Tank Location:** Disposal Road, North Arlington, NJ

**Date of Test:** 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Gasoline	13.000"	0.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

**Terms & Conditions:** The Estabrook EZY 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic Environmental**

Eco Logic Tank Testing.com

## TANK TEST CERTIFICATION

April 19, 2011

Certification Number: SS11D172-4

Bergen County Utilities Authority  
72 Bushes Lane  
Elmwood Park, NJ 07407

Tank Location: Disposal Road, North Arlington, NJ

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Diesel	44.000"	2.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

**Terms & Conditions:** The Estabrook EZY 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic Environmental**

Eco Logic Tank Testing.com

## TANK TEST CERTIFICATION

April 19, 2011

Certification Number: SS11D172-5

Bergen County Utilities Authority

72 Bushes Lane

Elmwood Park, NJ 07407

Tank Location: Disposal Road, North Arlington, NJ

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Diesel	39.000"	1.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EYZ 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EYZ 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EYZ 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi

Director of Technology and Compliance



15 16 17 18 19

FAX: (908) 820-8412

[www.lorcopetroleum.com](http://www.lorcopetroleum.com)

GENERATOR/LOCATION SALES ORDER # 3338154

BILL TO (IF DIFFERENT FROM LOCATION)

NAME FORGE HUGER CITY UT		ACCOUNT APPROVAL CODE	
INFORMATION/ATTENTION LINE			
DELIVERY ADDRESS			
CITY		STATE	ZIP
PHONE NUMBER		PURCHASE ORDER NUMBER	
TIME IN		TIME OUT	

NAME \_\_\_\_\_  
INFORMATION/ATTENTION LINE \_\_\_\_\_ ACCOUNT APPROVAL CODE \_\_\_\_\_  
DELIVERY ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_ PURCHASE ORDER NUMBER \_\_\_\_\_  
MANIFEST NUMBER 931931

## SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

Department of Transportation				US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number)	SALES REPRESENTATIVE
NO.	TYPE	QTY.	UNIT		

## SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL						
40300	ANTIFREEZE REMOVAL						
40400	OILY WATER DISPOSAL		55	per Hr.			
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL		removed 2	drums	found to		
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE		less than 1"	in catch			
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						
PARTS WASHER SERVICE INTERVAL _____ DAYS				CONDITIONALLY EXEMPT SMALL TOTAL			

PARTS WASHER SERVICE INTERVAL \_\_\_\_\_ DAYS.  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED  
LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE  
BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED  
BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE  
UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261.  
GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY  
DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY  
RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is: ☐ used oil ☐ used antifreeze  
☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other: \_\_\_\_\_

Description: \_\_\_\_\_

In accordance the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X <u>Archie</u> <u>URATO</u>	
Print Name	Title
X <u>Archie</u> <u>Urato</u>	5/31/14
Signature	Date
GENERATOR/CUSTOMER	

# CONDITIONALLY- EXEMPT SMALL QUANTITY GENERATOR CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X   
GENERATOR'S SIGNATURE

**NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION**

DEXSIL CDT  
TEST RESULTS

X PPM

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \_\_\_\_\_

**PAYMENT RECEIVED SECTION**

CASH <input type="checkbox"/>	TOTAL RECEIVED
CHECK NUMBER	

In accordance with NJAC7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X R. D. ...  
Print Name  
X [Signature] 5/31/00  
Signature Date  
LORCO REPRESENTATIVE

CUSTOMER

Lorco Petroleum Services  
450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

854788

GENERATOR/LOCATION

SALES ORDER #

NAME Mr. Frank, Meadowlands Center  
INFORMATION/ATTENTION LINE ACCOUNT APPROVAL CODE  
DELIVERY ADDRESS 1 Disposal Rd  
CITY North Hunterdon STATE NJ ZIP 08854  
PHONE NUMBER 931927 PURCHASE ORDER NUMBER  
TIME IN TIME OUT

BILL TO (IF DIFFERENT FROM LOCATION)

NAME H.J. Meadowlands Center  
INFORMATION/ATTENTION LINE ACCOUNT APPROVAL CODE  
DELIVERY ADDRESS 1 De Kort Park  
CITY Landhurst STATE NJ ZIP 08854  
PHONE NUMBER 931927 PURCHASE ORDER NUMBER  
MANIFEST NUMBER

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation

NO. TYPE QTY. UNIT US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number) SALES REPRESENTATIVE

SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL	111.1	111.1				
40300	ANTIFREEZE REMOVAL						
40400	OILY WATER DISPOSAL						
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40611	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

PARTS WASHER SERVICE INTERVAL 111.1 DAYS.  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261, GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☒ used oil ☐ used antifreeze  
☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other \_\_\_\_\_ Description \_\_\_\_\_

In accordance the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X Archie Title 12/1/11  
Print Name W. J. J. J.  
Signature W. J. J. J. Date 12/1/11

GENERATOR/CUSTOMER

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 C.F.R. 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X W. J. J. J.  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X \_\_\_\_\_ PPM

CUSTOMER

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1½% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \$

PAYMENT RECEIVED SECTION

CASH ☐

TOTAL RECEIVED

CHECK NUMBER

In accordance with NJAC7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X W. J. J. J.  
Print Name

X W. J. J. J. Date  
Signature

LORCO REPRESENTATIVE



Lorco Petroleum Services  
450 South Front St.  
Elizabeth, NJ 07202  
(908) 820-8800  
(800) 734-0910  
FAX: (908) 820-8412



www.lorcopetroleum.com

STANDARD  
COLLECTION  
ORDER FORM

854785

GENERATOR/LOCATION SALES ORDER # 0728888

NAME New Jersey Meadowlands

INFORMATION/ATTENTION LINE Forced Air Conditioning Unit ACCOUNT APPROVAL CODE

DELIVERY ADDRESS 1. L. L. Road

CITY 10. Arlington STATE N.J. ZIP

PHONE NUMBER PURCHASE ORDER NUMBER

TIME IN TIME OUT

BILL TO (IF DIFFERENT FROM LOCATION)

NAME New Jersey Meadowlands

INFORMATION/ATTENTION LINE Forced Air Conditioning Unit ACCOUNT APPROVAL CODE

DELIVERY ADDRESS 1. L. L. Road

CITY 10. Arlington STATE N.J. ZIP

PHONE NUMBER PURCHASE ORDER NUMBER

MANIFEST NUMBER 731726

SHIPPING INFORMATION

This is to certify that the below named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation

NO. TYPE QTY. UNIT US DOT Description (Including Proper Shipping Name, Hazard Class and ID Number) SALES REPRESENTATIVE

SERVICE SECTION

ITEM #	DESCRIPTION	WASTE CODE	QUANTITY	UNIT PRICE	PRICE	TAX	LINE TOTAL
40500	USED OIL REMOVAL	<u>176</u>	<u>21.17</u>				
40300	ANTIFREEZE REMOVAL	<u>177</u>	<u>40.15</u>				
40400	OILY WATER DISPOSAL	<u>177</u>	<u>40.15</u>				
41100	SLUDGE DISPOSAL						
41000	GASOLINE/WATER						
40900	DRUM DISPOSAL						
40811	NEW 55 GAL DRUMS / 17H						
40515	OIL WATER SEPARATOR SERVICE						
41513	TANK WASHER						
41507	TANK ENTRY						
41500	TRANSPORTATION						
41508	TRUCK AND OPERATOR						
41514	ADDITIONAL LABOR						

PARTS WASHER SERVICE INTERVAL 1111 DAYS.  
USED OIL CUSTOMER SERVICED EVERY 30 DAYS  
UNLESS OTHERWISE INDICATED.  
USED OIL SERVICE INTERVAL \_\_\_\_\_ DAYS.

GENERATOR WARRANTS AND REPRESENTS THAT THE MATERIALS PROVIDED LORCO HEREUNDER HAVE NOT BEEN MIXED, COMBINED, OR OTHERWISE BLENDED IN ANY QUANTITY WITH MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS (PCB) OR ANY OTHER MATERIAL DEFINED AS HAZARDOUS WASTE UNDER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO 40 CFR PART 261. GENERATOR AGREES TO INDEMNIFY AND HOLD LORCO HARMLESS FOR ANY DAMAGES, COSTS, ATTORNEY'S FEES, ETC. ARISING OUT OF OR IN ANY WAY RELATED TO A BREACH OF THE ABOVE WARRANTY BY THE GENERATOR.

Generator certifies that the waste is ☒ used oil ☐ used antifreeze  
☐ oily water ☐ oil filter ☐ parts washer solvent

☐ Other \_\_\_\_\_ Description.

In accordance the N.J.A.C. 7:26-12.1 et seq, LORCO has the required permits to accept the above described waste.

X \_\_\_\_\_ Title

X \_\_\_\_\_ Date

Signature \_\_\_\_\_

GENERATOR/CUSTOMER

CONDITIONALLY  
EXEMPT SMALL  
QUANTITY  
GENERATOR  
CERTIFICATION

I certify that this generator generates less than 100 kilograms of hazardous waste per month, as defined at 40 CFR 261, and does not accumulate more than 1,000 kilograms of such waste during the month.

X \_\_\_\_\_  
GENERATOR'S SIGNATURE

NON CONDITIONALLY  
EXEMPT LARGE  
QUANTITY  
GENERATOR  
CERTIFICATION

DEXSIL CDT  
TEST RESULTS

X \_\_\_\_\_ PPM

CUSTOMER

TOTAL

CHARGE MY ACCOUNT FOR THIS TRANSACTION UNLESS OTHERWISE INDICATED IN THE PAYMENT SECTION. INVOICES REFLECTING CHARGES TO CUSTOMER ARE SUBJECT TO AN INTEREST RATE OF THE LESSER OF 1 1/2% PER MONTH (18% PER ANNUM) OR THE MAXIMUM RATE ALLOWED BY LAW ON ANY INVOICES THAT ARE NOT PAID WITHIN 30 DAYS. IN THE EVENT OF DEFAULT, LORCO SHALL BE ENTITLED TO RECOVER COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES. INITIAL \$

PAYMENT/RECEIVED SECTION

CASH <input type="checkbox"/>	TOTAL RECEIVED
CHECK NUMBER	

In accordance with NJAC7:26-6.7b + 40CFR PART 279 LORCO has notified the US EPA of its location and used oil management activities.

X \_\_\_\_\_ Title

X \_\_\_\_\_ Date

Signature \_\_\_\_\_

LORCO REPRESENTATIVE

## APPENDIX C

Underground Storage Tank Facility Certification Questionnaire and Tank Survey Forms for each of the five tanks (dated March 20, 1998 prepared by the Bergen County Utilities Authority)

Registration Certificate dated 05/01/2002

Applies to Responses for Items No. 5, 6, 7, 8, 9, 10, and 11

Registration and Billing Unit

1-609-633-0719

## UNDERGROUND STORAGE TANK

Check In ☐ Yes ☐ No

COMCODE

5

1

--	--	--	--

FACILITY UST # 0178923

Completion of this Registration Questionnaire will satisfy the registration requirements of the Underground Storage of Hazardous Substances Act, N.J.S.A. 58:10A-21, and the Registration and Billing Regulations N.J.A.C. 7:14B-2.

Check appropriate box

- A. ☐ This is a registration of a proposed or newly installed underground storage tank. (This form must be filed at least 30 days prior to operation)
- B. ☐ This is a registration of an existing underground storage tank not presently registered.
- C. ☒ This is a correction or amendment to an existing facility registration.
- D. ☐ There have been no changes to the facility registration since last submittal. (Go to certification page for signature)

If "C" is checked above, please check the appropriate type of change(s) below

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Facility Name and/or Address Change     | <input type="checkbox"/> Type of Product(s) Stored                          | <input type="checkbox"/> Financial Responsibility Change  |
| <input type="checkbox"/> Owner Name and/or Address Change        | <input type="checkbox"/> Substantial Modification(s)                        | <input type="checkbox"/> Sale or Transfer (Complete Section A, Questions 4.5.6 & Section B, 12D). |
| <input type="checkbox"/> Facility Operator and/or Address Change | <input type="checkbox"/> Tank(s) and/or Piping Changes                      | <input checked="" type="checkbox"/> Other (please specify):                                       |
| <input type="checkbox"/> Owner Contact Person Change             | <input type="checkbox"/> Closure (Complete Section B Questions 1,4,5,11,12) | <i>Correction To Part</i>   |

## SECTION A - GENERAL FACILITY INFORMATION

Correction to Part  
Questionnaire and  
Registrations.

1. Facility Name  
BERGEN CNTY UTIL AUTH TRANSFER STATION
2. Facility Location  
ONE DISPOSAL ROAD  
NORTH ARLINGTON  
BERGEN NJ 07032-1924  
COUNTY STATE ZIP CODE BLOCK LOT  
CITY OR MUNICIPALITY
3. Facility Operator  
ALPCTOSWAK  
PERSON OR TITLE  
Contact  
Tele. No. 201 955 0028  
(Area Code) (Extension)
- Operator Address  
(if different than #2)  
NUMBER AND STREET  
CITY OR MUNICIPALITY  
STATE ZIP CODE
4. Tank Owner  
BERGEN COUNTY UTILITIES AUTHORITY
5. Tank Owner  
Address  
PO Box 9  
NUMBER AND STREET  
FOOT OF NEWHOE ROAD  
LITTLE FERRY  
NJ 07643-  
STATE ZIP CODE  
CITY OR MUNICIPALITY
6. Contact Person  
(Tank Owner)  
TEROME E SHEEHAN  
Contact  
Tele. No. 201 641 2552  
(Area Code) (Extension)
7. EPA ID#
8. Total number of regulated underground storage tanks at facility 0005 (Complete Section B for each tank)

NOTE: The facility site plan must be submitted when registering any underground storage tank pursuant to N.J.A.C. 7:14B 2.2.

ALL underground tanks, including those taken out of operation (UNLESS THE TANK WAS REMOVED FROM THE GROUND PRIOR TO 9/3/86, be registered. Report all tank/piping status changes.

	TANK NO.	TANK NO.	TANK NO.	TANK NO.	TANK
1 Tank Identification Number	E1	E2	E3	E4	E5
2 CAS Number (hazardous substances only)					
3 Date Tank Installed (Month/Day/Year)	Mo. Day Year 1 / 19 / 86	Mo. Day Year 1 / 17 / 86	Mo. Day Year 1 / 19 / 81	Mo. Day Year 1 / 19 / 81	Mo. Day Year 1 / 19 / 81
4 Tank Size (gallons)	6000	1000	1000	1000	550
5 Tank Contents (Mark one "X" for each tank) A Leaded gasoline B Unleaded gasoline C Alcohol enriched gasoline D Light diesel fuel (No. 1-D) E Medium diesel fuel (No. 2-D) F Waste oil G Kerosene (No. 1) H Home heating oil (No. 2) J Heating oil (No. 4) K Heavy heating oil (No. 6) L Aviation fuel M Motor oil N Lubricating oil P Other hazardous substances (specify) Q Hazardous waste (specify ID number) R Mixtures (please specify) S Emergency spill tank (specify substance) T Other petroleum products (please specify) U Other (please specify)	X	X	X	X	X
6 Tank & Piping Construction (Mark one each for tank and piping) A Bare steel B Cathodically protected metal 1. Sacrificial anode 2. Impressed current C Fiberglass-coated steel D Fiberglass-reinforced plastic E Internally lined F Pressurized piping G Suction piping H Other (please specify)	Tank Piping X X	Tank Piping X X	Tank Piping X X	Tank Piping X X	Tank Piping X X
7 Tank & Piping Structure (Mark one each for tank & piping) A Single wall B Double wall C Other (please specify)	A B C X X X	A B C X X X	A B C X X X	A B C X X X	A B C X X X
8 Type of Monitoring/Detection (Mark all that apply for tank & piping) A Statistical inventory reconciliation B Manual tank gauging C Inventory control D Interstitial E Tightness test F Ground water observation wells G Vapor observation wells H In-tank (automatic monitoring gauge) I Safe suction piping (piping only) - see definition page 4 J In-line electronic pressure monitor (piping only) - see definition page 4 K Automatic line leak detector (piping only) L None (tank & piping) M Other (please specify)	D E F G H I J K L M X X X X X X X X X X	D E F G H I J K L M X X X X X X X X X X	D E F G H I J K L M X X X X X X X X X X	D E F G H I J K L M X X X X X X X X X X	D E F G H I J K L M X X X X X X X X X X

	TANK NO. E1	TANK NO. E2	TANK NO. E3	TANK NO. E4	TANK NO. E5
Tank Identification Number					
9. Overfill protection (tank only) (Mark one X for each tank)	Tank	Tank	Tank	Tank	Tank
A. Yes	X	X	X	X	X
B. No					
10. Spill containment around fill pipe (Mark one X for each tank)					
A. Yes	X	X	X	X	X
B. No					
11. Tank status (Mark one X for each tank system)					
A. In-use	X			X	X
B. Empty less than 12 mos. (complete 12B)					
C. Empty 12 mos. or more (complete 12B)					
D. Sump (contains products no more than 48 hours)					
E. Emergency back-up generator tank		X	X		
F. Abandoned in place					
G. Removed					
H. Other (Please specify)					
12. Closure Information - Tank ID No	TANK NO.	TANK NO.	TANK NO.	TANK NO.	TANK NO.
A. Date abandoned in place	Mo. Day Year	Mo. Day Year	Mo. Day Year	Mo. Day Year	Mo. Day Year
B. Date taken out of service					
C. Date removed					
D. Date of sale or transfer					
E. Closure # (if applicable)					
F. ISRA # (if applicable)					
13. Is the tank within wellhead protection area as defined on pg. 4 (Mark one X for each tank)					
A. Yes					
B. No	X	X	X	X	X

### SECTION C - FINANCIAL RESPONSIBILITY

Does this facility have a Financial Responsibility Assurance Mechanism as required in 40 CFR 280?  
Please list the appropriate financial information below:

☒ YES ☐ NO

General Liability  
Type

4, 1, 98  
Effective Date

3, 31, 99  
Expiration Date

Self-Insured  
Carrier/Issuing Agency

N/A  
Policy Number

3,500,000  
Amount

### SECTION D - MONITORING SYSTEMS

Does this facility have a release detection monitoring system which is in compliance with N.J.A.C. 7:14B-6?  
If "No", please be aware that the facility must meet the appropriate deadline. (See "Dates to Know" on Page 4)

☒ YES ☐ NO

### SECTION E - RECORD KEEPING / COMPLIANCE

Please answer all the questions in this section on a facility basis. Any one tank not in compliance requires a "NO" answer for the entire facility.

- Does this facility have cathodic protection systems for all steel tanks and piping?  
If "Yes", are the systems properly operated and maintained pursuant to N.J.A.C. 7:14B-5.2?
- Are the performance claims and documentation of monitoring systems maintained by the owner or operator pursuant to N.J.A.C. 7:14B-6.7?
- Are the proper monitoring, testing, sampling, repair and inventory records kept on-site pursuant to N.J.A.C. 7:14B-5 and 6?
- Is the proper Release Response Plan kept on-site pursuant to N.J.A.C. 7:14B-5.5?
- Does the facility have spill and overfill protection systems pursuant to N.J.A.C. 7:14B-4?
- Have all Fill Ports been permanently marked per API #1637 pursuant to N.J.A.C. 7:14B-5.8?

☐ YES ☐ NO N/A  
☐ YES ☐ NO N/A

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

☒ YES ☐ NO

### IMPORTANT INFORMATION

**FEE:** Please make checks payable to: "Treasurer, State of New Jersey". Use of the enclosed return envelope will expedite processing. Registration and Billing Schedule can be found in N.J.A.C. 7:14B-3.  
**PENALTY:** All Initial Registration fees are \$100 per facility. (See N.J.A.C. 7:14B-3.1 and 3.2(c). Failure by owner or operator of a regulated underground storage tank to comply with any requirement of the State UST Act or regulations may result in the penalties set forth in N.J.S.A. 58:10A-12.  
**EMERGENCY:** If a discharge or spill occurs, the NJDEP Hotline at (609) 292-7172 must be called IMMEDIATELY - 24 hours a day.  
**EXEMPTION:** Residential heating oil underground storage tanks are exempt from all underground storage tank requirements.

## DATES TO KNOW (critical deadlines)

- December 22, 1988 - All new federally regulated tank systems must have corrosion protection and spill/overfill protection.  
September 4, 1990 - All new state-only regulated tank systems must have corrosion protection and spill/overfill protection.  
February 19, 1993 - All federally regulated tank systems must maintain financial responsibility assurance.  
December 22, 1993 - All federally regulated tank systems must have begun leak detection.  
December 22, 1998 - All regulated tanks shall have corrosion protection and spill/overfill protection.  
December 22, 1998 - All state regulated tanks need leak detection.

## CERTIFICATION

Must be signed as follows:

- For a corporation, by a person authorized by resolution of the Board of Directors to sign the document.
- For a partnership or sole proprietorship, by a general partner or the proprietor, respectively.
- For a municipality, State, Federal or other public agency, by either a principal executive officer or ranking elected official.
- For persons other than indicated above, by the person with legal responsibility for the site.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and attached documents, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties."

Jerome E. Sheehan

(Typed / Printed Name)

Chief Engineer

(Title)

Jerome E. Sheehan

(Signature)

3/20/98

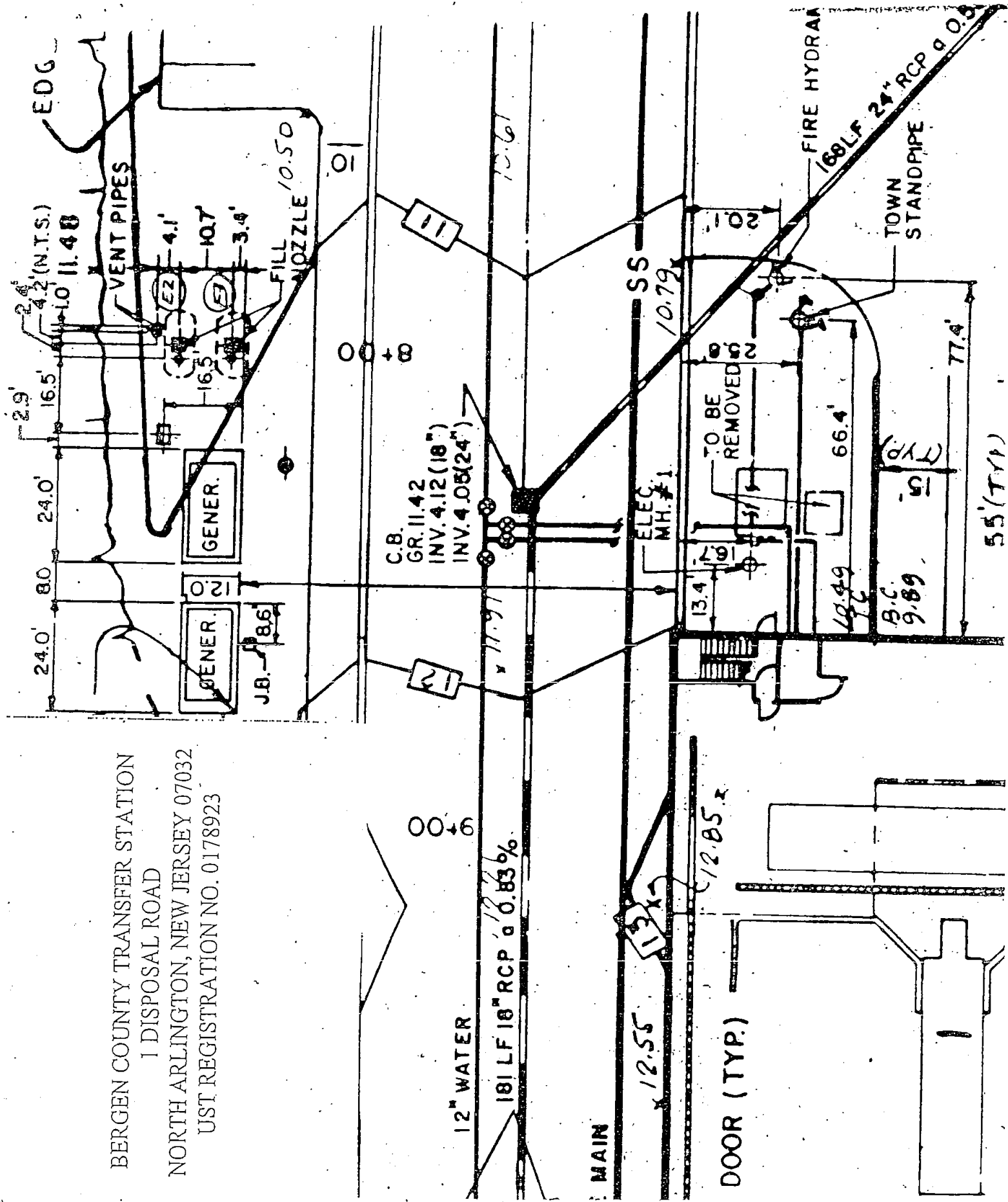
(Date)

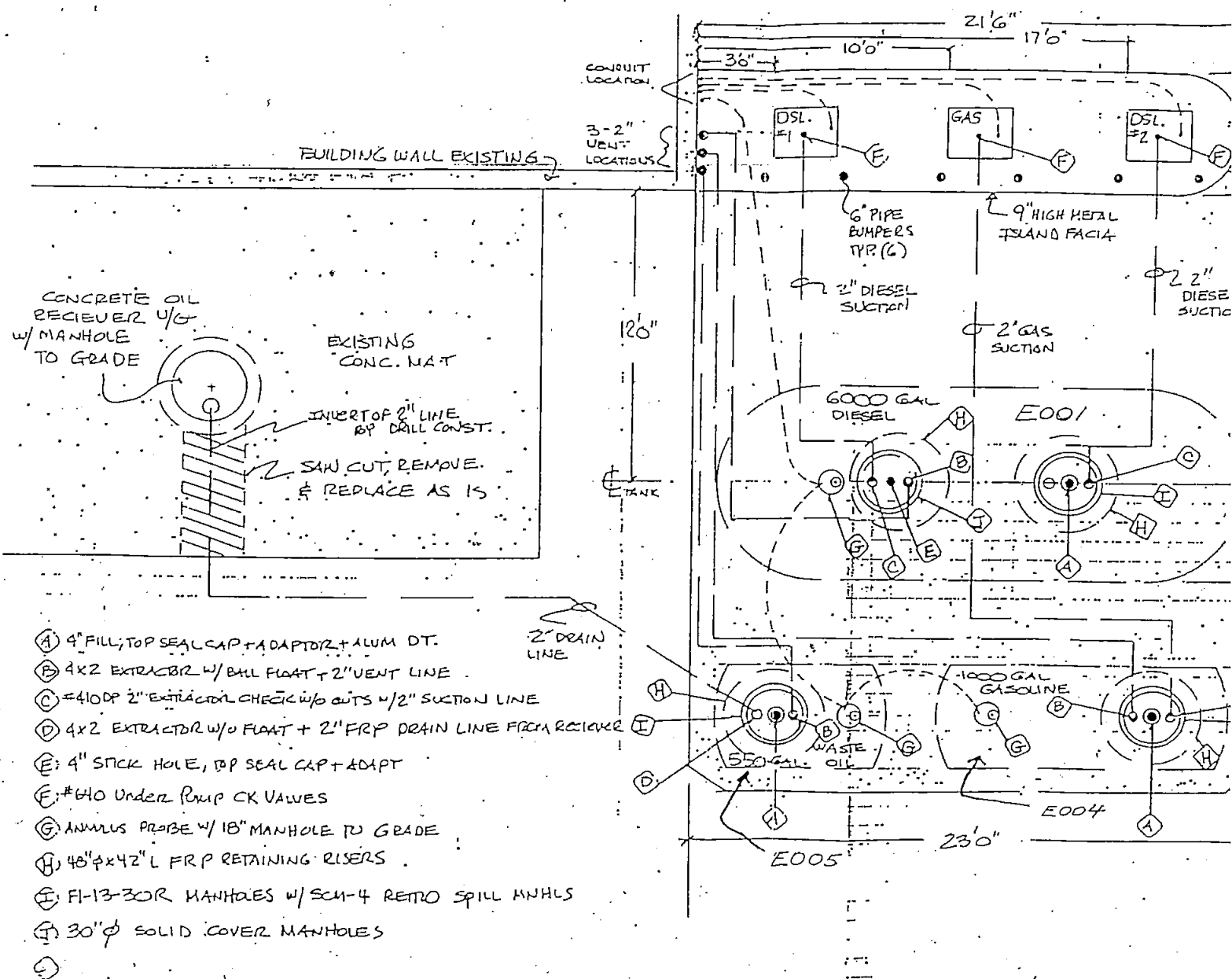
## DEFINITIONS

- Section B8 J. "Safe" Suction Piping - Suction Piping which has enough slope so that the product in the pipe can drain back into the tank when the suction is released, and which has only one check valve, located directly beneath the pump in the dispensing unit.
- Section B8 K. In-Line Electronic Pressure Monitor - (Used with pressurized piping only) A monitor which checks for loss of pressure in piping when no product is dispensed. This method may be used once every 30 days or every time the dispenser turns off.
- Section B8 L. Automatic Line Leak Detectors - (Required with pressurized piping - Must be able to detect a 3 gph leak within 1 hour of its occurrence)
1. Flow restrictors and flow shut offs which monitor pressure within piping and when a suspected leak is detected, either restricts the flow of product through the piping well below the 3 gph leak rate it detects, or completely cuts off product flow and shuts down the pump.
  2. Continuous alarm systems constantly monitor piping conditions and trigger an audible or visual alarm if a leak is suspected.
- Section B13 Wellhead Protection Area -
1. The area within a 2,000 ft. radius surrounding a public community or public non-community water system well when there is an underground storage tank containing gasoline or non-petroleum hazardous substances located within that area.
  2. The area within a 750 ft. radius surrounding a public community or public non-community water system well when there is an underground storage tank containing petroleum products other than gasoline located within that area.



BERGEN COUNTY TRANSFER STATION  
 1 DISPOSAL ROAD  
 NORTH ARLINGTON, NEW JERSEY 07032  
 UST REGISTRATION NO. 0178923







## TANK SURVEY FORM

TANK NUMBER E1 TANK SIZE 6000 SUBSTANCE STORED DSL-2

1. Is the tank made of Steel, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the tank is not made of steel or is jacketed in a non-corrodible material such as fiberglass, the tank is in compliance with corrosion protection.

Y N If the tank is made of steel, does it have corrosion protection (cathodic protection or internal lining)? If "YES", use checklist number 12.

N/A

NOTE - Tank systems installed after December 21, 1988 (except those used to contain heating oil for on-site consumption) must have corrosion protection or they are not in compliance with the federal and state rules as noted above. Heating oil systems installed after September 3, 1990 must have corrosion protection or the systems are not in compliance with federal and state rules.

\*\*IF YOUR SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION AS NOTED ABOVE, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

2. Is the piping made of Steel or other metal, Fiberglass or Other material (list the other material)? FIBERGLASS If the piping is not made of metal or is secondarily contained within a non-corrodible material such as fiberglass, the piping is in compliance with corrosion protection.

Y N If the piping is made of steel or another metal, does it have corrosion protection (cathodic protection)? If "YES", use checklist number 12.

N/A

NOTE - Metallic piping systems installed after December 21, 1988 (except those used with heating oil tanks used for on-site consumption) must have corrosion protection (dielectric coating and cathodic protection or isolation from the soil surrounding piping, ie: secondary containment) or they are not in compliance with the federal and state rules. Heating oil piping installed after September 3, 1990 must have corrosion protection or the tank system is not in compliance.

\*\*IF YOUR PIPING SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*



## TANK SURVEY FORM (cont.)

TANK NUMBER E1 TANK SIZE 6000 SUBSTANCE STORED DSL-2

3. Circle "Y" for all of the methods of release detection monitoring used with the tank. (Heating oil tanks do not require release detection monitoring until December 22, 1998)

- Y a. Inventory control with tightness testing. If "YES" use checklist number 1.  
Y b. Statistical Inventory Control (SIR). If "YES", use checklist number 2.  
Y c. Manual tank gauging. If "YES", use checklist number 3.  
Y d. Automatic tank gauging (ATG or In-tank monitoring).  
If "YES", use checklist number 4.  
Y e. Ground water monitoring. If "YES" use checklist number 5.  
Y f. Soil vapor monitoring. If "YES", use checklist number 6.  
(Y) g. Interstitial monitoring (the tank is either double walled or in a lined excavation). If "YES", use checklist number 7.

NOTE - Owners and operators of all tanks (except for those containing heating oil used for on-site consumption) must be performing release detection monitoring at this time.

**\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE TANK AT THIS TIME, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

4. Circle "Y" for all of the methods of release detection monitoring used with the piping. (Heating oil piping does not require release detection monitoring until December 22, 1998).

- Y a. Tightness test. If "YES", use checklist number 8.  
Y b. SIR. If "YES", use checklist number 2.  
Y c. Ground water monitoring. If "YES", use checklist number 5.  
Y d. Soil vapor monitoring. If "YES", use checklist number 6.  
Y e. Electronic monitoring. If "YES", use checklist number 9.  
Y f. Automatic line leak detection. If "YES", use checklist number 10.  
Y g. Interstitial monitoring (the piping is either double walled or in a lined excavation). If "YES", use checklist number 7.  
(Y) h. NONE. Piping system is European suction (check valve at base of piping).  
If "YES", use checklist number 11.

NOTE - All pressurized piping systems must have one of the methods of leak detection noted above AND an automatic line leak detector (a method to detect a 3 gallon per hour leak at 10 psi operating pressure within one hour). If the tank system uses pressurized piping but does not have an automatic line leak detector, the system is out of compliance for leak detection monitoring.



## TANK SURVEY FORM (cont.)

TANK NUMBER E1 TANK SIZE 6000 SUBSTANCE STORED D5C-2

\*\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE PIPING, OR PRESSURIZED PIPING IS USED AND THERE IS NO AUTOMATIC LINE LEAK DETECTOR, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*\*

5. Does the tank system have a spill bucket? If "YES" use checklist number 13.

☒ Y ☐ N

6. Does the tank system have overfill protection? If "YES" use checklist number 13.

☒ Y ☐ N

NOTE - If your tank system was installed after December 21, 1988, (except for those holding heating oil for on-site consumption) and it does not have both spill prevention and overfill prevention, you are out of compliance with the current state and federal construction requirements for underground storage tank systems. Heating oil systems installed after September 3, 1990 must have these items or the system is out of compliance.

\*\*\*IF YOUR UNDERGROUND STORAGE TANK SYSTEM IS REQUIRED TO HAVE SPILL PREVENTION AND OVERFILL PREVENTION BUT DOES NOT HAVE ONE OR BOTH OF THESE ITEMS, CIRCLE "NO" FOR SPILL PREVENTION AND/OR OVERFILL PREVENTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*\*



## INTERSTITIAL MONITORING

### SECONDARY CONTAINMENT

(DOUBLE WALLED SYSTEMS OR LINED EXCAVATIONS)

(See Straight Talk on Tanks, page 6)

TANK NUMBER E1

TANK SIZE 6000

SUBSTANCE STORED DSL-2

YES NO

☒ — The interstitial space (the space between both walls of the system) is monitored at least once every 30 days.

☒ — If an electronic system is used, is it checked each month to ensure it is operating properly? (DO NOT answer if this question does not apply to your underground storage tank system) (see item 2 below)

☒ — Are records of all interstitial monitoring events maintained and available for inspection by the Department?

-----

#### NOTES:

1. Interstitial monitoring may be electronic (liquid or vapor sensor), manual (liquid or vapor inspection), hydraulic (interstice filled with brine), or pressure/vacuum monitoring.

2. Records of maintenance or calibration of electronic sensors must be maintained and available for inspection by the Department. Electronic sensors should be inspected once a month to ensure they are operating properly.

3. Should the interstitial monitor indicate a release, the system should be emptied and repaired or removed.



## EUROPEAN SUCTION DISPENSING SYSTEM

(See Straight Talk on Tanks, page 22)

TANK NUMBER E1

TANK SIZE 6000

SUBSTANCE STORED DSL-2

YES    NO

X         Does the piping slope from the dispenser to the underground storage tank?

X         Is there only one check valve in the piping?

X         Is the check valve located directly beneath the dispenser?

-----  
NOTES:

1. All information requested above must be easily determined. Owners and operators should have a written certification of the tank system construction by the tank system installer.
2. If you answered "NO" to any of the questions above, you do not have European suction piping and must have one of the release detection monitoring systems for piping noted in Checklists 2, 5, 6, 7, 8, 9, or 10.
3. A release is suspected when the piping does not remain primed when the dispenser is shut off. This can be identified when the nozzle is opened and there is a long delay before product flow begins or no product flows through the nozzle. Owners and operators must investigate and confirm or disprove the suspected release within 7 days in accordance N.J.A.C. 7:14B-7. Systems found to be releasing product must be emptied and then repaired or taken permanently out of service and a site investigation performed in accordance with N.J.A.C. 7:26E.





# SPILL AND OVERFILL PREVENTION (See Don't Wait until 1998, pages 4 through 7)

TANK NUMBER E1 TANK SIZE 6000 SUBSTANCE STORED DSL-2

\*\* Only answer applicable questions, leave all others blank. \*\*

YES NO

## Spill Prevention

(spill bucket or product-tight chamber)

☒ Is the spill bucket or product-tight chamber free of dirt, product and moisture?

## Overfill Prevention

☒ One of the following overfill prevention systems has been installed:

- Automatic shutoff device
- - Flow restrictor
- Alarm

## NOTES:

1. All tank systems installed after December 22, 1988 must have spill and overfill prevention except heating oil. Heating oil tank systems installed after September 3, 1990 must have spill and overfill prevention. Systems installed before these dates must be upgraded with spill and overfill prevention by December 22, 1998 or be removed.

If your tank system is out of compliance for spill prevention and/or overfill prevention, circle "No" for these items on the Self-Inspection Checklist Summary.

2. Tank systems which are filled by transfers of 25 gallons or less do not need spill and overfill prevention.

3. If the system is upgraded with a spill prevention or overfill prevention on or after September 4, 1990, the owner or operator must obtain a permit from the Department to perform the upgrade.



## TANK SURVEY FORM

TANK NUMBER E2 TANK SIZE 1000 SUBSTANCE STORED DSL-2

1. Is the tank made of Steel, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the tank is not made of steel or is jacketed in a non-corrodible material such as fiberglass, the tank is in compliance with corrosion protection.

Y N If the tank is made of steel, does it have corrosion protection (cathodic protection or internal lining)? If "YES", use checklist number 12.

N/A  
NOTE - Tank systems installed after December 21, 1988 (except those used to contain heating oil for on-site consumption) must have corrosion protection or they are not in compliance with the federal and state rules as noted above. Heating oil systems installed after September 3, 1990 must have corrosion protection or the systems are not in compliance with federal and state rules.

\*\*IF YOUR SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION AS NOTED ABOVE, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

2. Is the piping made of Steel or other metal, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the piping is not made of metal or is secondarily contained within a non-corrodible material such as fiberglass, the piping is in compliance with corrosion protection.

Y N If the piping is made of steel or another metal, does it have corrosion protection (cathodic protection)? If "YES", use checklist number 12.

N/A  
NOTE - Metallic piping systems installed after December 21, 1988 (except those used with heating oil tanks used for on-site consumption) must have corrosion protection (dielectric coating and cathodic protection or isolation from the soil surrounding piping, ie: secondary containment) or they are not in compliance with the federal and state rules. Heating oil piping installed after September 3, 1990 must have corrosion protection or the tank system is not in compliance.

\*\*IF YOUR PIPING SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

# TANK SURVEY FORM (cont.)

TANK NUMBER E2 TANK SIZE 1000 SUBSTANCE STORED DSL-2

3. Circle "Y" for all of the methods of release detection monitoring used with the tank.  
(Heating oil tanks do not require release detection monitoring until December 22, 1998)

- Y a. Inventory control with tightness testing. If "YES" use checklist number 1.
- Y b. Statistical Inventory Control (SIR). If "YES", use checklist number 2.
- Y c. Manual tank gauging. If "YES", use checklist number 3.
- Y d. Automatic tank gauging (ATG or In-tank monitoring).  
If "YES", use checklist number 4.
- Y e. Ground water monitoring. If "YES" use checklist number 5.
- Y f. Soil vapor monitoring. If "YES", use checklist number 6.
- (Y) g. Interstitial monitoring (the tank is either double walled or in a lined excavation). If "YES", use checklist number 7.

NOTE - Owners and operators of all tanks (except for those containing heating oil used for on-site consumption) must be performing release detection monitoring at this time:

**\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE TANK AT THIS TIME, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

4. Circle "Y" for all of the methods of release detection monitoring used with the piping.  
(Heating oil piping does not require release detection monitoring until December 22, 1998).

- Y a. Tightness test. If "YES", use checklist number 8.
- Y b. SIR. If "YES", use checklist number 2.
- Y c. Ground water monitoring. If "YES", use checklist number 5.
- Y d. Soil vapor monitoring. If "YES", use checklist number 6.
- Y e. Electronic monitoring. If "YES", use checklist number 9.
- Y f. Automatic line leak detection. If "YES", use checklist number 10.
- Y g. Interstitial monitoring (the piping is either double walled or in a lined excavation). If "YES", use checklist number 7.
- (Y) h. NONE. Piping system is European suction (check valve at base of piping).  
If "YES", use checklist number 11.

NOTE - All pressurized piping systems must have one of the methods of leak detection noted above AND an automatic line leak detector (a method to detect a 3 gallon per hour leak at 10 psi operating pressure within one hour). If the tank system uses pressurized piping but does not have an automatic line leak detector, the system is out of compliance for leak detection monitoring.



# TANK SURVEY FORM (cont.)

TANK NUMBER E2 TANK SIZE 1000 SUBSTANCE STORED DSL-2

★★IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE PIPING, OR PRESSURIZED PIPING IS USED AND THERE IS NO AUTOMATIC LINE LEAK DETECTOR, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.★★

5. Does the tank system have a spill bucket? If "YES" use checklist number 13.  
☒ Y ☐ N

6. Does the tank system have overfill protection? If "YES" use checklist number 13.  
☒ Y ☐ N

NOTE - If your tank system was installed after December 21, 1988, (except for those holding heating oil for on-site consumption) and it does not have both spill prevention and overfill prevention, you are out of compliance with the current state and federal construction requirements for underground storage tank systems. Heating oil systems installed after September 3, 1990 must have these items or the system is out of compliance.

★★IF YOUR UNDERGROUND STORAGE TANK SYSTEM IS REQUIRED TO HAVE SPILL PREVENTION AND OVERFILL PREVENTION BUT DOES NOT HAVE ONE OR BOTH OF THESE ITEMS, CIRCLE "NO" FOR SPILL PREVENTION AND/OR OVERFILL PREVENTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.★★



## INTERSTITIAL MONITORING

### SECONDARY CONTAINMENT

(DOUBLE WALLED SYSTEMS OR LINED EXCAVATIONS)

(See Straight Talk on Tanks, page 6)

TANK NUMBER E2

TANK SIZE 1000

SUBSTANCE STORED DSL-2

YES NO

☒ — The interstitial space (the space between both walls of the system) is monitored at least once every 30 days.

☒ — If an electronic system is used, is it checked each month to ensure it is operating properly? (DO NOT answer if this question does not apply to your underground storage tank system) (see item 2 below)

☒ — Are records of all interstitial monitoring events maintained and available for inspection by the Department?

-----

#### NOTES:

1. Interstitial monitoring may be electronic (liquid or vapor sensor), manual (liquid or vapor inspection), hydraulic (interstice filled with brine), or pressure/vacuum monitoring.
2. Records of maintenance or calibration of electronic sensors must be maintained and available for inspection by the Department. Electronic sensors should be inspected once a month to ensure they are operating properly.
3. Should the interstitial monitor indicate a release, the system should be emptied and repaired or removed.



## EUROPEAN SUCTION DISPENSING SYSTEM

(See Straight Talk on Tanks, page 22)

TANK NUMBER E2

TANK SIZE 1000

SUBSTANCE STORED DSL-2

YES NO

☒ Does the piping slope from the dispenser to the underground storage tank?

☒ Is there only one check valve in the piping?

☒ Is the check valve located directly beneath the dispenser?

-----  
NOTES:

1. All information requested above must be easily determined. Owners and operators should have a written certification of the tank system construction by the tank system installer.

2. If you answered "NO" to any of the questions above, you do not have European suction piping and must have one of the release detection monitoring systems for piping noted in Checklists 2, 5, 6, 7, 8, 9, or 10.

3. A release is suspected when the piping does not remain primed when the dispenser is shut off. This can be identified when the nozzle is opened and there is a long delay before product flow begins or no product flows through the nozzle. Owners and operators must investigate and confirm or disprove the suspected release within 7 days in accordance N.J.A.C. 7:14B-7. Systems found to be releasing product must be emptied and then repaired or taken permanently out of service and a site investigation performed in accordance with N.J.A.C. 7:26E.



## SPILL AND OVERFILL PREVENTION

(See Don't Wait until 1998, pages 4 through 7)TANK NUMBER E2TANK SIZE 1000SUBSTANCE STORED DSL-2

\*\* Only answer applicable questions, leave all others blank. \*\*

YES NOSpill Prevention

(spill bucket or product-tight chamber)

☒        Is the spill bucket or product-tight chamber free of dirt, product and moisture?Overfill Prevention☒        One of the following overfill prevention systems has been installed:  
- Automatic shutoff device  
- ☒ Flow restrictor  
- AlarmNOTES:

1. All tank systems installed after December 22, 1988 must have spill and overfill prevention except heating oil. Heating oil tank systems installed after September 3, 1990 must have spill and overfill prevention. Systems installed before these dates must be upgraded with spill and overfill prevention by December 22, 1998 or be removed.

If your tank system is out of compliance for spill prevention and/or overfill prevention, circle "No" for these items on the Self-Inspection Checklist Summary.

2. Tank systems which are filled by transfers of 25 gallons or less do not need spill and overfill prevention.

3. If the system is upgraded with a spill prevention or overfill prevention on or after September 4, 1990, the owner or operator must obtain a permit from the Department to perform the upgrade.

# TANK SURVEY FORM

TANK NUMBER E3 TANK SIZE 1000 SUBSTANCE STORED DSL-2

1. Is the tank made of Steel, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the tank is not made of steel or is jacketed in a non-corrodible material such as fiberglass, the tank is in compliance with corrosion protection.

Y N

If the tank is made of steel, does it have corrosion protection (cathodic protection or internal lining)? If "YES", use checklist number 12.

N/A

NOTE - Tank systems installed after December 21, 1988 (except those used to contain heating oil for on-site consumption) must have corrosion protection or they are not in compliance with the federal and state rules as noted above. Heating oil systems installed after September 3, 1990 must have corrosion protection or the systems are not in compliance with federal and state rules.

\*\*IF YOUR SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION AS NOTED ABOVE, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

2. Is the piping made of Steel or other metal, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the piping is not made of metal or is secondarily contained within a non-corrodible material such as fiberglass, the piping is in compliance with corrosion protection.

Y N

If the piping is made of steel or another metal, does it have corrosion protection (cathodic protection)? If "YES", use checklist number 12.

N/A

NOTE - Metallic piping systems installed after December 21, 1988 (except those used with heating oil tanks used for on-site consumption) must have corrosion protection (dielectric coating and cathodic protection or isolation from the soil surrounding piping, ie: secondary containment) or they are not in compliance with the federal and state rules. Heating oil piping installed after September 3, 1990 must have corrosion protection or the tank system is not in compliance.

\*\*IF YOUR PIPING SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*



**TANK SURVEY FORM (cont.)**

TANK NUMBER E3 TANK SIZE 1000 SUBSTANCE STORED DEL-2

**\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE PIPING, OR PRESSURIZED PIPING IS USED AND THERE IS NO AUTOMATIC LINE LEAK DETECTOR, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

5. Does the tank system have a spill bucket? If "YES" use checklist number 13.

☒ N

6. Does the tank system have overfill protection? If "YES" use checklist number 13.

☒ N

NOTE - If your tank system was installed after December 21, 1988, (except for those holding heating oil for on-site consumption) and it does not have both spill prevention and overfill prevention, you are out of compliance with the current state and federal construction requirements for underground storage tank systems. Heating oil systems installed after September 3, 1990 must have these items or the system is out of compliance.

**\*\*IF YOUR UNDERGROUND STORAGE TANK SYSTEM IS REQUIRED TO HAVE SPILL PREVENTION AND OVERFILL PREVENTION BUT DOES NOT HAVE ONE OR BOTH OF THESE ITEMS, CIRCLE "NO" FOR SPILL PREVENTION AND/OR OVERFILL PREVENTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***



## INTERSTITIAL MONITORING

## SECONDARY CONTAINMENT

(DOUBLE WALLED SYSTEMS OR LINED EXCAVATIONS)

(See Straight Talk on Tanks, page 6).TANK NUMBER E3TANK SIZE 1000SUBSTANCE STORED DSL-2

YES NO

- ☒ — The interstitial space (the space between both walls of the system) is monitored at least once every 30 days.
- ☒ — If an electronic system is used, is it checked each month to ensure it is operating properly? (DO NOT answer if this question does not apply to your underground storage tank system) (see item 2 below)
- ☒ — Are records of all interstitial monitoring events maintained and available for inspection by the Department?

## NOTES:

1. Interstitial monitoring may be electronic (liquid or vapor sensor), manual (liquid or vapor inspection), hydraulic (interstice filled with brine), or pressure/vacuum monitoring.
2. Records of maintenance or calibration of electronic sensors must be maintained and available for inspection by the Department. Electronic sensors should be inspected once a month to ensure they are operating properly.
3. Should the interstitial monitor indicate a release, the system should be emptied and repaired or removed.



## EUROPEAN SUCTION DISPENSING SYSTEM

(See Straight Talk on Tanks, page 22)

TANK NUMBER E3

TANK SIZE 1000

SUBSTANCE STORED DSL-2

YES NO

☒ Does the piping slope from the dispenser to the underground storage tank?

☒ Is there only one check valve in the piping?

☒ Is the check valve located directly beneath the dispenser?

-----  
NOTES:

1. All information requested above must be easily determined. Owners and operators should have a written certification of the tank system construction by the tank system installer.

2. If you answered "NO" to any of the questions above, you do not have European suction piping and must have one of the release detection monitoring systems for piping noted in Checklists 2, 5, 6, 7, 8, 9, or 10.

3. A release is suspected when the piping does not remain primed when the dispenser is shut off. This can be identified when the nozzle is opened and there is a long delay before product flow begins or no product flows through the nozzle. Owners and operators must investigate and confirm or disprove the suspected release within 7 days in accordance N.J.A.C. 7:14B-7. Systems found to be releasing product must be emptied and then repaired or taken permanently out of service and a site investigation performed in accordance with N.J.A.C. 7:26E.



SPILL AND OVERFILL PREVENTION  
(See Don't Wait until 1998, pages 4 through 7)

TANK NUMBER E3 TANK SIZE 1000 SUBSTANCE STORED DSL-2

\*\* Only answer applicable questions, leave all others blank. \*\*

YES NO

Spill Prevention

(spill bucket or product-tight chamber)

X        Is the spill bucket or product-tight chamber free of dirt, product and moisture?

Overfill Prevention

X        One of the following overfill prevention systems has been installed:

- Automatic shutoff device
- - Flow restrictor
- Alarm

NOTES:

1. All tank systems installed after December 22, 1988 must have spill and overfill prevention except heating oil. Heating oil tank systems installed after September 3, 1990 must have spill and overfill prevention. Systems installed before these dates must be upgraded with spill and overfill prevention by December 22, 1998 or be removed.

If your tank system is out of compliance for spill prevention and/or overfill prevention, circle "No" for these items on the Self-Inspection Checklist Summary.

2. Tank systems which are filled by transfers of 25 gallons or less do not need spill and overfill prevention.

3. If the system is upgraded with a spill prevention or overfill prevention on or after September 4, 1990, the owner or operator must obtain a permit from the Department to perform the upgrade.

# TANK SURVEY FORM

TANK NUMBER E4 TANK SIZE 1000 SUBSTANCE STORED GSL

1. Is the tank made of Steel, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the tank is not made of steel or is jacketed in a non-corrodible material such as fiberglass, the tank is in compliance with corrosion protection.

Y N

If the tank is made of steel, does it have corrosion protection (cathodic protection or internal lining)? If "YES", use checklist number 12.

N/A

NOTE - Tank systems installed after December 21, 1988 (except those used to contain heating oil for on-site consumption) must have corrosion protection or they are not in compliance with the federal and state rules as noted above. Heating oil systems installed after September 3, 1990 must have corrosion protection or the systems are not in compliance with federal and state rules.

\*\*IF YOUR SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION AS NOTED ABOVE, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

2. Is the piping made of Steel or other metal, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the piping is not made of metal or is secondarily contained within a non-corrodible material such as fiberglass, the piping is in compliance with corrosion protection.

Y N

If the piping is made of steel or another metal, does it have corrosion protection (cathodic protection)? If "YES", use checklist number 12.

N/A

NOTE - Metallic piping systems installed after December 21, 1988 (except those used with heating oil tanks used for on-site consumption) must have corrosion protection (dielectric coating and cathodic protection or isolation from the soil surrounding piping, ie: secondary containment) or they are not in compliance with the federal and state rules. Heating oil piping installed after September 3, 1990 must have corrosion protection or the tank system is not in compliance.

\*\*IF YOUR PIPING SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*

TANK SURVEY FORM (cont.)

TANK NUMBER E-4 TANK SIZE 42 SUBSTANCE STORED GSC

\*\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE PIPING, OR PRESSURIZED PIPING IS USED AND THERE IS NO AUTOMATIC LINE LEAK DETECTOR, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*\*

5. Does the tank system have a spill bucket? If "YES" use checklist number 13.

☒ Y ☐ N

6. Does the tank system have overfill protection? If "YES" use checklist number 13.

☒ Y ☐ N

NOTE - If your tank system was installed after December 21, 1988, (except for those holding heating oil for on-site consumption) and it does not have both spill prevention and overfill prevention, you are out of compliance with the current state and federal construction requirements for underground storage tank systems. Heating oil systems installed after September 3, 1990 must have these items or the system is out of compliance.

\*\*\*IF YOUR UNDERGROUND STORAGE TANK SYSTEM IS REQUIRED TO HAVE SPILL PREVENTION AND OVERFILL PREVENTION BUT DOES NOT HAVE ONE OR BOTH OF THESE ITEMS, CIRCLE "NO" FOR SPILL PREVENTION AND/OR OVERFILL PREVENTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\*\*



## INTERSTITIAL MONITORING

### SECONDARY CONTAINMENT

(DOUBLE WALLED SYSTEMS OR LINED EXCAVATIONS)

(See Straight Talk on Tanks, page 6)

TANK NUMBER E4

TANK SIZE 1000

SUBSTANCE STORED GSL

YES NO

☒ — The interstitial space (the space between both walls of the system) is monitored at least once every 30 days.

☒ — If an electronic system is used, is it checked each month to ensure it is operating properly? (DO NOT answer if this question does not apply to your underground storage tank system) (see item 2 below)

☒ — Are records of all interstitial monitoring events maintained and available for inspection by the Department?

#### NOTES:

1. Interstitial monitoring may be electronic (liquid or vapor sensor), manual (liquid or vapor inspection), hydraulic (interstice filled with brine), or pressure/vacuum monitoring.
2. Records of maintenance or calibration of electronic sensors must be maintained and available for inspection by the Department. Electronic sensors should be inspected once a month to ensure they are operating properly.
3. Should the interstitial monitor indicate a release, the system should be emptied and repaired or removed.



## EUROPEAN SUCTION DISPENSING SYSTEM

(See Straight Talk on Tanks, page 22)

TANK NUMBER E4

TANK SIZE 1000

SUBSTANCE STORED GSL

YES NO

☒ Does the piping slope from the dispenser to the underground storage tank?

☒ Is there only one check valve in the piping?

☒ Is the check valve located directly beneath the dispenser?

### NOTES:

1. All information requested above must be easily determined. Owners and operators should have a written certification of the tank system construction by the tank system installer.

2. If you answered "NO" to any of the questions above, you do not have European suction piping and must have one of the release detection monitoring systems for piping noted in Checklists 2, 5, 6, 7, 8, 9, or 10.

3. A release is suspected when the piping does not remain primed when the dispenser is shut off. This can be identified when the nozzle is opened and there is a long delay before product flow begins or no product flows through the nozzle. Owners and operators must investigate and confirm or disprove the suspected release within 7 days in accordance N.J.A.C. 7:14B-7. Systems found to be releasing product must be emptied and then repaired or taken permanently out of service and a site investigation performed in accordance with N.J.A.C. 7:26E.

E4  
5.46





# SPILL AND OVERFILL PREVENTION (See Don't Wait until 1998, pages 4 through 7)

TANK NUMBER E 4 TANK SIZE 1000 SUBSTANCE STORED GSL

\*\* Only answer applicable questions, leave all others blank. \*\*

YES NO

## Spill Prevention

(spill bucket or product-tight chamber)

X    Is the spill bucket or product-tight chamber free of dirt, product and moisture?

## Overfill Prevention

X    One of the following overfill prevention systems has been installed:

- Automatic shutoff device
- - Flow restrictor
- Alarm

## NOTES:

1. All tank systems installed after December 22, 1988 must have spill and overfill prevention except heating oil. Heating oil tank systems installed after September 3, 1990 must have spill and overfill prevention. Systems installed before these dates must be upgraded with spill and overfill prevention by December 22, 1998 or be removed.

If your tank system is out of compliance for spill prevention and/or overfill prevention, circle "No" for these items on the Self-Inspection Checklist Summary.

2. Tank systems which are filled by transfers of 25 gallons or less do not need spill and overfill prevention.

3. If the system is upgraded with a spill prevention or overfill prevention on or after September 4, 1990, the owner or operator must obtain a permit from the Department to perform the upgrade.



## TANK SURVEY FORM

TANK NUMBER ES TANK SIZE 550 SUBSTANCE STORED WASTE OIL

1. Is the tank made of Steel, Fiberglass or Other material (list the other material)?  
FIBERGLASS If the tank is not made of steel or is jacketed in a non-corrodible material such as fiberglass, the tank is in compliance with corrosion protection.

Y N If the tank is made of steel, does it have corrosion protection (cathodic protection or internal lining)? If "YES", use checklist number 12.

N/A

NOTE - Tank systems installed after December 21, 1988 (except those used to contain heating oil for on-site consumption) must have corrosion protection or they are not in compliance with the federal and state rules as noted above. Heating oil systems installed after September 3, 1990 must have corrosion protection or the systems are not in compliance with federal and state rules.

**\*\*IF YOUR SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION AS NOTED ABOVE, BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

2. Is the piping made of Steel or other metal, Fiberglass or Other material (list the other material)? FIBERGLASS If the piping is not made of metal or is secondarily contained within a non-corrodible material such as fiberglass, the piping is in compliance with corrosion protection.

Y N If the piping is made of steel or another metal, does it have corrosion protection (cathodic protection)? If "YES", use checklist number 12.

N/A

NOTE - Metallic piping systems installed after December 21, 1988 (except those used with heating oil tanks used for on-site consumption) must have corrosion protection (dielectric coating and cathodic protection or isolation from the soil surrounding piping, ie: secondary containment) or they are not in compliance with the federal and state rules. Heating oil piping installed after September 3, 1990 must have corrosion protection or the tank system is not in compliance.

**\*\*IF YOUR PIPING SYSTEM IS REQUIRED TO HAVE CORROSION PROTECTION BUT DOES NOT, CIRCLE "NO" FOR CORROSION PROTECTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***



## TANK SURVEY FORM (cont.)

TANK NUMBER E5 TANK SIZE 550 SUBSTANCE STORED WASTE OIL

3. Circle "Y" for all of the methods of release detection monitoring used with the tank.  
(Heating oil tanks do not require release detection monitoring until December 22, 1998)

- Y a. Inventory control with tightness testing. If "YES" use checklist number 1.
- Y b. Statistical Inventory Control (SIR). If "YES", use checklist number 2.
- Y c. Manual tank gauging. If "YES", use checklist number 3.
- Y d. Automatic tank gauging (ATG or In-tank monitoring).  
If "YES", use checklist number 4.
- Y e. Ground water monitoring. If "YES" use checklist number 5.
- Y f. Soil vapor monitoring. If "YES", use checklist number 6.
- (Y) g. Interstitial monitoring (the tank is either double walled or in a lined excavation). If "YES", use checklist number 7.

NOTE - Owners and operators of all tanks (except for those containing heating oil used for on-site consumption) must be performing release detection monitoring at this time.

**\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE TANK AT THIS TIME, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

4. Circle "Y" for all of the methods of release detection monitoring used with the piping.  
(Heating oil piping does not require release detection monitoring until December 22, 1998).

- Y a. Tightness test. If "YES", use checklist number 8.
- Y b. SIR. If "YES", use checklist number 2.
- Y c. Ground water monitoring. If "YES", use checklist number 5.
- Y d. Soil vapor monitoring. If "YES", use checklist number 6.
- Y e. Electronic monitoring. If "YES", use checklist number 9.
- Y f. Automatic line leak detection. If "YES", use checklist number 10.
- Y g. Interstitial monitoring (the piping is either double walled or in a lined excavation). If "YES", use checklist number 7.
- (Y) h. NONE. Piping system is European suction (check valve at base of piping).  
If "YES", use checklist number 11.

NOTE : All pressurized piping systems must have one of the methods of leak detection noted above AND an automatic line leak detector (a method to detect a 3 gallon per hour leak at 10 psi operating pressure within one hour). If the tank system uses pressurized piping but does not have an automatic line leak detector, the system is out of compliance for leak detection monitoring.



## TANK SURVEY FORM (cont.)

TANK NUMBER E5 TANK SIZE 550 SUBSTANCE STORED WASTE OIL

**\*\*IF RELEASE DETECTION MONITORING IS REQUIRED BUT NO METHOD IS BEING PERFORMED ON THE PIPING, OR PRESSURIZED PIPING IS USED AND THERE IS NO AUTOMATIC LINE LEAK DETECTOR, CIRCLE "NO" FOR RELEASE DETECTION MONITORING ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

5. Does the tank system have a spill bucket? If "YES" use checklist number 13.

☒ Y ☐ N

6. Does the tank system have overfill protection? If "YES" use checklist number 13.

☒ Y ☐ N

NOTE - If your tank system was installed after December 21, 1988, (except for those holding heating oil for on-site consumption) and it does not have both spill prevention and overfill prevention, you are out of compliance with the current state and federal construction requirements for underground storage tank systems. Heating oil systems installed after September 3, 1990 must have these items or the system is out of compliance.

**\*\*IF YOUR UNDERGROUND STORAGE TANK SYSTEM IS REQUIRED TO HAVE SPILL PREVENTION AND OVERFILL PREVENTION BUT DOES NOT HAVE ONE OR BOTH OF THESE ITEMS, CIRCLE "NO" FOR SPILL PREVENTION AND/OR OVERFILL PREVENTION ON THE SELF-INSPECTION CHECKLIST SUMMARY.\*\***

# Checklist 7 - Release Detection Monitoring



## INTERSTITIAL MONITORING SECONDARY CONTAINMENT (DOUBLE WALLED SYSTEMS OR LINED EXCAVATIONS) (See Straight Talk on Tanks, page 6)

TANK NUMBER E5 TANK SIZE 550 SUBSTANCE STORED WASTE OIL

YES NO

- ☒ — The interstitial space (the space between both walls of the system) is monitored at least once every 30 days.
- ☒ — If an electronic system is used, is it checked each month to ensure it is operating properly? (DO NOT answer if this question does not apply to your underground storage tank system) (see item 2 Below)
- ☒ — Are records of all interstitial monitoring events maintained and available for inspection by the Department?

### NOTES:

1. Interstitial monitoring may be electronic (liquid or vapor sensor), manual (liquid or vapor inspection), hydraulic (interstice filled with brine), or pressure/vacuum monitoring.
2. Records of maintenance or calibration of electronic sensors must be maintained and available for inspection by the Department. Electronic sensors should be inspected once a month to ensure they are operating properly.
3. Should the interstitial monitor indicate a release, the system should be emptied and repaired or removed.



## Checklist 11 - Release Detection Monitoring

### EUROPEAN SUCTION DISPENSING SYSTEM

(See Straight Talk on Tanks, page 22)

TANK NUMBER E5 TANK SIZE 550 SUBSTANCE STORED WASTE OIL

YES NO

☒ Does the piping slope from the dispenser to the underground storage tank?

☒ Is there only one check valve in the piping?

☒ Is the check valve located directly beneath the dispenser?

#### NOTES:

1. All information requested above must be easily determined. Owners and operators should have a written certification of the tank system construction by the tank system installer.

2. If you answered "NO" to any of the questions above, you do not have European suction piping and must have one of the release detection monitoring systems for piping noted in Checklists 2, 5, 6, 7, 8, 9, or 10.

3. A release is suspected when the piping does not remain primed when the dispenser is shut off. This can be identified when the nozzle is opened and there is a long delay before product flow begins or no product flows through the nozzle. Owners and operators must investigate and confirm or disprove the suspected release within 7 days in accordance N.J.A.C. 7:14B-7. Systems found to be releasing product must be emptied and then repaired or taken permanently out of service and a site investigation performed in accordance with N.J.A.C. 7:26E.

# Checklist 13 - Upgrades



## SPILL AND OVERFILL PREVENTION

(See Don't Wait until 1998, pages 4 through 7)

TANK NUMBER E5 TANK SIZE 550 SUBSTANCE STORED WASTE OIL

\*\* Only answer applicable questions, leave all others blank. \*\*

YES NO

### Spill Prevention

(spill bucket or product-tight chamber)

☒ Is the spill bucket or product-tight chamber free of dirt, product and moisture?

### Overfill Prevention

☒ One of the following overfill prevention systems has been installed:

- Automatic shutoff device
- - Flow restrictor
- Alarm

### NOTES:

1. All tank systems installed after December 22, 1988 must have spill and overfill prevention except heating oil. Heating oil tank systems installed after September 3, 1990 must have spill and overfill prevention. Systems installed before these dates must be upgraded with spill and overfill prevention by December 22, 1998 or be removed.

If your tank system is out of compliance for spill prevention and/or overfill prevention, circle "No" for these items on the Self-Inspection Checklist Summary.

2. Tank systems which are filled by transfers of 25 gallons or less do not need spill and overfill prevention.

3. If the system is upgraded with a spill prevention or overfill prevention on or after September 4, 1990, the owner or operator must obtain a permit from the Department to perform the upgrade.



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF RESPONSIBLE PARTY SITE REMEDIATION  
UNDERGROUND STORAGE TANK PROGRAM

P.O. BOX 028  
TRENTON, NEW JERSEY 08625-0028  
Phone: (609) 633-0719



UNDERGROUND STORAGE TANK SYSTEMS  
REGISTRATION CERTIFICATE

The Department of Environmental Protection hereby grants this registration to operate and maintain the Underground Storage Tank System(S) described below in accordance with the laws and regulations of the State of New Jersey. This registration is revocable with due cause and is subject to the limitations, terms and conditions pursuant to N.J.A.C. 7:14B.	Approval Date
	05/01/2002
	Expiration Date
	01/29/2004

Facility ID: 017892	Facility Contact (Operator): Not Identified (201) 955-0028	Total Number of Tanks: 5
Registration Activity ID: UST000002		Total Capacity (Gallons): 9550

Facility Address: BCUA TRANSFER STATION 1 DISPOSAL RD NORTH ARLINGTON BORO NJ 07032	Owner: JEROME E SHEEHAN BERGEN COUNTY UTILITIES AUTHORITY FOOT OF MEERHOF RD LITTLE FERRY NJ 07643
--	--

Approved Tanks and Products Stored		TANK CAPACITY
TANK No.	TANK CONTENTS	
E1	Medium Diesel Fuel (No. 2-D)	6000
E2	Medium Diesel Fuel (No. 2-D)	1000
E3	Medium Diesel Fuel (No. 2-D)	1000
E4	Unleaded Gasoline	1000
E5	Waste Oil	550

This Registration Must Be Available for Inspection at the Facility AT ALL TIMES



APPENDIX D

Certification of Answers to Request for Information

ENCLOSURE III

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under the penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information which may include the possibility of fine and imprisonment.

Name (print or type)

Thomas Maier  
SIGNATURE

1/12/12  
DATE

Director Solid Waste  
TITLE

NJMC  
AFFILIATION



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

DEC 30 2011

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Article Number: 7005 3110 0000 5950 4451

Marcia A. Karrow  
Executive Director  
New Jersey Meadowlands Commission  
One DeKort Park Plaza  
Lyndhurst, NJ 07071

Attn: Christine Sanz

Re: Request for Extension to Reply to Request for Information Pursuant to Section 9005 of the  
Solid Waste Disposal Act, as amended  
RCRA-UST-IR-12-003  
New Jersey Meadowlands Commission  
North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ  
State Registration Number: 017892

Dear Ms. Karrow:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Solid Waste Disposal Act, as amended (often referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq). On or about December 14, 2011, EPA sent you the above referenced Request for Information (IRL). The IRL was received by you on December 22, 2011.

EPA received your request for an extension to respond to the IRL on December 27, 2011. To ensure that your response to the IRL is accurate and complete, EPA will grant you an extension; the new deadline for responding to the IRL is February 1, 2012.

The information must be submitted to the following addressee:

Dennis J. McChesney, Team Leader  
UST Team  
Division of Enforcement and Compliance Assistance  
U.S. Environmental Protection Agency  
290 Broadway, 20th Floor  
New York, NY 10007-1866  
212-637-4211 (fax)  
Attn: Rebecca Jamison

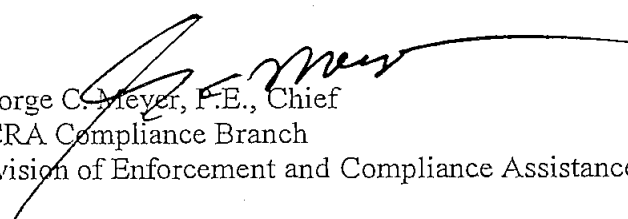
Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 50% Postconsumer content)

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law, including but not limited to initiating a formal enforcement action pursuant to Section 9006 of RCRA. 42 U.S.C. 6991e which can include seeking penalties of up to \$16,000 per UST per day of violation. Please also note that all information you provide may be used in an administrative, civil judicial, or criminal action.

If you have any questions concerning the information requested, please contact Rebecca Jamison at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

Sincerely,



George C. Meyer, P.E., Chief  
RCRA Compliance Branch  
Division of Enforcement and Compliance Assistance

cc: Mike Hastry, Manager 4 WM  
Bureau of Hazardous Waste & UST Compliance Enforcement  
New Jersey Dept. of Environmental Protection  
Mail Code 09-03  
P.O. Box 420  
Trenton, NJ 08625-0420



Request for Extension

Christine Sanz

to:

Rebecca Jamison

12/27/2011 03:28 PM

Hide Details

From: Christine Sanz <Christine.Sanz@njmeadowlands.gov>

To: Rebecca Jamison/R2/USEPA/US@EPA

Dear Ms. Jamison:

As a follow up to our conversation earlier today, the NJMC respectfully requests an extension of time to answer the EPA's letter regarding Facility ID 017892, North Arlington Transfer Station.

Your consideration of this request is appreciated.

Sincerely,  
Christine Sanz

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Notice: This e-mail message and any attachment to this e-mail message may contain information that may be legally privileged and confidential from the State of New Jersey, New Jersey Meadowlands Commission. If you are not the intended recipient, you must not review, transmit, convert to hard copy, copy, use, or disseminate this e-mail or any attachment to it. If you have received this e-mail in error, Please immediately notify us by return e-mail or by telephone at 201-460-1700 and delete the message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of the message or any attachment may not have been produced by the State of New Jersey, New Jersey Meadowlands Commission. This notice is automatically appended to each e-mail message leaving the State of New Jersey, New Jersey Meadowlands Commission.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

DEC 14 2011

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article Number: 7005 3110 0000 5950 4581

Marcia A. Karrow  
Executive Director  
New Jersey Meadowlands Commission  
One DeKort Park Plaza  
Lyndhurst, NJ 07071

Re: 2<sup>nd</sup> NOTICE -RESPONSE OVERDUE

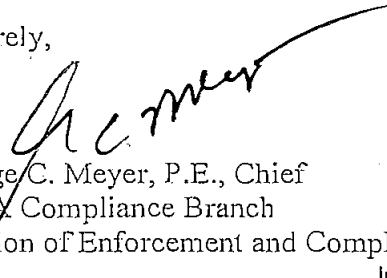
Non-Response to Request for Information Pursuant to Section 9005 of the Solid Waste Disposal Act, as amended  
RCRA-UST-IR-12-003  
New Jersey Meadowlands Commission  
North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ  
Facility ID: 017892

Dear Ms. Karrow:

Per the U.S. Environmental Protection Agency's (EPA) records, you received an Information Request Letter issued pursuant to Section 9005 of the Solid Waste Disposal Act (SWDA) on October 31, 2011. You were required to respond within thirty (30) days or by November 30, 2011. A review of EPA's records indicates that we have not received the required response nor have you contacted our offices to discuss the matter. It is imperative that you or your representative contact our offices within fourteen (14) days of receipt of this letter. Failure to respond to this letter truthfully and accurately within the time provided may subject you to actions authorized by federal law, including but not limited to initiating a formal enforcement action pursuant to Section 9006 of RCRA, 42 U.S.C. 6991e which may include seeking penalties of up to \$16,000 per UST per day of violation. Please also note that all information you provide may be used in an administrative, civil judicial, or criminal action.

Please contact Rebecca Jamison at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov), or contact Dennis McChesney, Team Leader of the UST Team, at (212) 637-4232 or by e-mail at [mcchesney.dennis@epa.gov](mailto:mcchesney.dennis@epa.gov). I urge your prompt response concerning this matter.

Sincerely,

  
George C. Meyer, P.E., Chief  
RCRA Compliance Branch  
Division of Enforcement and Compliance Assistance

Internet Address (URL) • <http://www.epa.gov>

Enclosure

cc: Mike Hastry, Manager 4 WM  
Bureau of Hazardous Waste & UST Compliance Enforcement  
New Jersey Dept. of Environmental Protection  
Mail Code 09-03  
P.O. Box 420  
Trenton, NJ 08625-0420

## ENCLOSURE I

### INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the owner of the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. The signatory must sign the attached Certification of Answers (Enclosure III) and return it with the response to this Request for Information.
2. A complete response must be made to each individual question in this Request for Information. Identify each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility whom you have reason to believe may be familiar with the matter to which the question pertains.
4. In answering each question, identify all contributing sources of information.
5. It is your responsibility to try to obtain any information pertinent to any question. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question state that person's name and last known address and phone number and the reasons for your belief.
6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner the number of the question to which it applies.
8. If anything is deleted from a document produced in response to the Request for Information, state the reason for and the subject matter of the deletion.
9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such documents by author, date, subject matter, number of pages, and all recipients and their addresses.
10. The company, for the purposes of the Request for Information, is New Jersey Meadowlands Commission and any related corporate entity.



11. Unless the question clearly provides otherwise, each question must be answered for the UST systems located in New Jersey and owned and/or operated or previously owned and/or operated by New Jersey Meadowlands Commission, and any other partnership, corporate shareholder, parent or subsidiary corporation.
12. Underground storage tank or UST shall be defined, for the purposes of this Request for Information, as any one or combination of tanks (including pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. See 40 C.F.R. § 280.12.
13. Underground storage tank system or UST system shall be defined, for the purposes of this Request for Information, as an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any. See 40 C.F.R. §280.12.
14. A facility, for the purposes of this information gathering, is defined as the property on which USTs are or were previously located.
15. Owner shall be defined, for the purposes of this Request for Information, as any person who owns an UST system used for storage, use, or dispensing of regulated substances. See 40 C.F.R. § 280.12.  
  
Operator shall be defined, for the purposes of this Request for Information, as any person in control of, or having responsibility for, the daily operation of an UST system. See 40 C.F.R. § 280.12.
16. NJDEP shall be defined as the New Jersey Department of Environmental Protection.

## ENCLOSURE II

### INFORMATION REQUEST

All information requested by EPA pertains to the USTs located on the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. For each of the following questions please provide documentation such as lease agreements, engineering reports, as built drawings, registrations, tests, proposals, work orders, invoices, etc., site assessments, or closure reports to support your answers to each question. Submit the information in the order presented below.

#### UST Owner/ Operator History

1. Provide the names, addresses and telephone numbers of all entities that own the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. Provide the month/ day/ year in which any or all owners acquired ownership of the property.
2. Provide the names, addresses and telephone numbers of all entities that own and/or operate the USTs located at the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. Provide the month/ day/ year in which any or all owners or operators acquired ownership of the USTs.
3. Describe the legal relationship between the owners of the property and the owners or operators of the USTs. Provide documentation supporting your statements.
4. If any of the facility name and/or address information listed above is incorrect, please provide the correct information including facility mailing address if different.

#### General UST Information

5. Provide a copy of each facility's UST registration questionnaire (required to be provided to the NJDEP) and a copy of the current registration certification.
6. Provide the day, month, and year that each UST was installed. If the installation date is unknown, please state so or give your best estimation.
7. Provide the capacity of each UST and indicate the regulated substances currently stored, or which were stored, in each UST.
8. Provide the construction material of tank and piping for each UST system, and if available the name of the manufacturer of the underground tank.

9. Indicate whether the fuel pipes are pressurized or suctioned.

#### Overfill, Spill, and Corrosion Protection

10. State the type of overfill prevention devices employed with each UST. The three main types of overfill protection devices are: automatic shutoff devices (sometimes referred to as a "fill pipe device"), overfill alarms, and ball float valves.
11. State if the USTs have catchment basins which are also called "spill containment manholes" or "spill buckets."
12. For each UST and pipe system that are made of unprotected metal, state the type of corrosion protection (cathodic - sacrificial or impressed current, or interior lining) used for each component. Provide copies of the last two corrosion surveys.

#### Leak Detection for the USTs

13. Please provide for each UST the method(s) of leak detection used to comply with the leak detection regulations found in 40 C.F.R. §280.40 to §280.45, which are either:
- a) Monthly Monitoring (which includes, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), automatic tank gauging\* (ATG), or other methods approved by NJDEP, or
  - b) Monthly Inventory Control and Tank Tightness Testing Every 5 Years. *This option can be used only for 10 years after installing a new UST or upgrading an UST with corrosion protection. After this 10-year period, Monthly Monitoring is required.*
  - c) \* If the leak detection method is Automatic Tank Gauging (ATG), please state the manufacturer and model of the ATG along with a description of its capabilities.
  - d) Provide documentation demonstrating that the leak detection was implemented during the last 12 months. If Inventory Control and Tank Tightness Testing is used provide copies of all reconciliation worksheets for the past twelve months.

#### Leak Detection for Pressurized Pipes.

14. If any of the USTs contain pressurized fuel pipes provide documentation showing that the fuel pipes are equipped with an automatic line leak detector.

- a) Describe the type of leak detector used, and if applicable, provide copies of records showing that the line leak detectors have been tested during the past twelve months, and
- b) Either show that the fuel pipes have had an annual line tightness test which is able to detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure, or has monthly monitoring such as, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), or any other method approved by NJDEP.

#### Closure

- 15. If any UST system was temporarily closed or out of service between December 22, 1988 and the date of your response, please provide:
  - a) The date it was temporary closed or taken out of service;
  - b) The period of time it was closed or non-operational; and
  - c) Whether the UST system was empty, as defined by 40 C.F.R. § 280.70 (a), during the period of temporary closure.
- 16. If any UST system is permanently closed, or if there was a change in service from regulated to non-regulated substances, provide:
  - (a) The date of permanent closure or of the change in service; and
  - (b) A copy of the site assessment report required by 40 C.F.R. §280.72.

#### Financial Responsibility

- 17. Please provide documentation of compliance with federal regulatory financial responsibility requirements (40 CFR 280 Subpart H) in case of a release from a UST.

#### Other Facilities

- 18. Provide a complete list of all the facilities you/your entity own(s) and/or operate(s) which utilize federally-regulated UST systems. For each facility indicate the number of UST systems, and include each facility's UST registration number.

### ENCLOSURE III

#### CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under the penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information which may include the possibility of fine and imprisonment.

Name (print or type)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
AFFILIATION



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

OCT 28 2011

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Article Number: 7005 3110 0000 5950 2006**

Angelo Urato  
Supervisor of Enforcement  
Solid Waste Operations  
One DeKort.Park Plaza  
Lyndhurst, NJ 07071

Re: Notice of Violation and Request for Information Pursuant to Section 9005 of the Solid Waste Disposal Act, as amended  
**RCRA-UST-IR-12-003**

New Jersey Meadowlands Commission  
North Arlington Transfer Station 1 Disposal Road  
North Arlington, NJ  
State Registration Number: 017892

Dear Mr. Urato:

The Solid Waste Disposal Act, as amended, and often referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq., gave the United States Environmental Protection Agency ("EPA") authority to set standards for existing and new underground storage tank ("UST") systems.

In addition, Section 9005(a) of RCRA, 42 U.S.C. § 6991d(a), and 40 C.F.R. § 280.34 authorizes EPA to require from the owners and operators of UST systems to submit certain information to enable EPA to determine the status of compliance with Subtitle I of RCRA, as amended, 42 U.S.C. § 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

On May 9, 2011, an inspector conducted an inspection of your facility. The inspector observed the following:

- §280.70(a): Failure to continue operation and maintenance of corrosion protection system in a temporarily closed tank system.
- §280.70(a): Failure to continue operation and maintenance of release detection in a temporarily closed tank system.
- §280.70(b): Failure to comply with temporary closure requirements for a tank system for 3 or more months.



- §280.70(c): Failure to permanently close or upgrade a temporarily closed tank system after 12 months.
- §280.71(b): Failure to remove all liquids and sludges for tank closure.
- §280.93(a): Failure to comply with financial responsibility requirements by the required phase-in time.

You are hereby required to submit within thirty (30) calendar days information for the Underground Storage Tank (UST) systems located at the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. The EPA requests the information outlined in Enclosure I, pursuant to Section 9005(a) of the Solid Waste Disposal Act, (often referred to as RCRA), 42 U.S.C. § 6991d(a), and 40 CFR § 280.34. This information is necessary to determine whether the UST systems are being operated in compliance with Subtitle I of RCRA, as amended, 42 U.S.C. §§ 6991 et seq., and the regulations promulgated pursuant thereto and set forth at 40 C.F.R. Part 280.

Requests for additional time must be justified, and must be requested within five (5) calendar days of your receipt of this letter. The response or request for additional time must be submitted to the following addressee:

Dennis J. McChesney, Ph.D, MBA, Team Leader  
UST Team  
Division of Enforcement and Compliance Assistance  
U.S. Environmental Protection Agency  
290 Broadway, 20th Floor  
New York, NY 10007-1866  
212-637-4211 (fax)  
Attn: Rebecca Jamison

An officer or agent who is authorized to respond on behalf of the above-referenced facility, must complete and sign the attached Certification page (Enclosure III), and return it with your response to this Request for Information within thirty calendar days.

Failure to respond to this letter truthfully and accurately within the time provided may subject you to an enforcement action pursuant to Section 9006 of RCRA, 42 U.S.C. 6991e. Violation of federal UST regulations may result in a formal enforcement action which can include seeking penalties of up to \$16,000 per UST per day of violation. Please also note that all information provided by you may be used in an administrative, civil judicial, or criminal action. In addition, making a knowing submission of materially false information to the U.S. Government may be a criminal offense.

Subject to 40 C.F.R. Part 2, you may assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 C.F.R. Section 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. EPA may, at its discretion, evaluate the confidentiality claim pursuant to procedures set forth at 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA,

it may be made available to the public by EPA without further notice to you.

This request for information is not subject to the requirements of the Paperwork Reduction Act as amended by 44 U.S.C. § 3501 et seq.

If you have any questions concerning the information requested, please contact Rebecca Jamison at (212) 637-3948 or by e-mail at [jamison.rebecca@epa.gov](mailto:jamison.rebecca@epa.gov).

Sincerely,



George C. Meyer, P.E., Chief  
RCRA Compliance Branch  
Division of Enforcement and Compliance Assistance

Enclosures

cc: Mike Hastry, Manager 4 WM  
Bureau of Hazardous Waste & UST Compliance Enforcement  
New Jersey Dept. of Environmental Protection  
Mail Code 09-03  
P.O. Box 420  
Trenton, NJ 08625-0420



## ENCLOSURE I

### INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the owner of the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. The signatory must sign the attached Certification of Answers (Enclosure III) and return it with the response to this Request for Information.
2. A complete response must be made to each individual question in this Request for Information. Identify each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility whom you have reason to believe may be familiar with the matter to which the question pertains.
4. In answering each question, identify all contributing sources of information.
5. It is your responsibility to try to obtain any information pertinent to any question. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question state that person's name and last known address and phone number and the reasons for your belief.
6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner the number of the question to which it applies.
8. If anything is deleted from a document produced in response to the Request for Information, state the reason for and the subject matter of the deletion.
9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such documents by author, date, subject matter, number of pages, and all recipients and their addresses.
10. The company, for the purposes of the Request for Information, is New Jersey Meadowlands Commission and any related corporate entity.

11. Unless the question clearly provides otherwise, each question must be answered for the UST systems located in New Jersey and owned and/or operated or previously owned and/or operated by New Jersey Meadowlands Commission, and any other partnership, corporate shareholder, parent or subsidiary corporation.
12. Underground storage tank or UST shall be defined, for the purposes of this Request for Information, as any one or combination of tanks (including pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. See 40 C.F.R. § 280.12.
13. Underground storage tank system or UST system shall be defined, for the purposes of this Request for Information, as an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any. See 40 C.F.R. §280.12.
14. A facility, for the purposes of this information gathering, is defined as the property on which USTs are or were previously located.
15. Owner shall be defined, for the purposes of this Request for Information, as any person who owns an UST system used for storage, use, or dispensing of regulated substances. See 40 C.F.R. § 280.12.  
  
Operator shall be defined, for the purposes of this Request for Information, as any person in control of, or having responsibility for, the daily operation of an UST system. See 40 C.F.R. § 280.12.
16. NJDEP shall be defined as the New Jersey Department of Environmental Protection.

## ENCLOSURE II

### INFORMATION REQUEST

All information requested by EPA pertains to the USTs located on the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. For each of the following questions please provide documentation such as lease agreements, engineering reports, as built drawings, registrations, tests, proposals, work orders, invoices, etc., site assessments, or closure reports to support your answers to each question. Submit the information in the order presented below.

#### **UST Owner/ Operator History**

1. Provide the names, addresses and telephone numbers of all entities that own the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. Provide the month/ day/ year in which any or all owners acquired ownership of the property.
2. Provide the names, addresses and telephone numbers of all entities that own and/or operate the USTs located at the property known as New Jersey Meadowlands Commission at North Arlington Transfer Station 1 Disposal Road, North Arlington, NJ. Provide the month/ day/ year in which any or all owners or operators acquired ownership of the USTs.
3. Describe the legal relationship between the owners of the property and the owners or operators of the USTs. Provide documentation supporting your statements.
4. If any of the facility name and/or address information listed above is incorrect, please provide the correct information including facility mailing address if different.

#### **General UST Information**

5. Provide a copy of each facility's UST registration questionnaire (required to be provided to the NJDEP) and a copy of the current registration certification.
6. Provide the day, month, and year that each UST was installed. If the installation date is unknown, please state so or give your best estimation.
7. Provide the capacity of each UST and indicate the regulated substances currently stored, or which were stored, in each UST.
8. Provide the construction material of tank and piping for each UST system, and if available the name of the manufacturer of the underground tank.

9. Indicate whether the fuel pipes are pressurized or suctioned.

#### Overfill, Spill, and Corrosion Protection

10. State the type of overfill prevention devices employed with each UST. The three main types of overfill protection devices are: automatic shutoff devices (sometimes referred to as a "fill pipe device"), overfill alarms, and ball float valves.
11. State if the USTs have catchment basins which are also called "spill containment manholes" or "spill buckets."
12. For each UST and pipe system that are made of unprotected metal, state the type of corrosion protection (cathodic - sacrificial or impressed current, or interior lining) used for each component. Provide copies of the last two corrosion surveys.

#### Leak Detection for the USTs

13. Please provide for each UST the method(s) of leak detection used to comply with the leak detection regulations found in 40 C.F.R. §280.40 to §280.45, which are either:
- a) Monthly Monitoring (which includes, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), automatic tank gauging\* (ATG), or other methods approved by NJDEP, or
  - b) Monthly Inventory Control and Tank Tightness Testing Every 5 Years. *This option can be used only for 10 years after installing a new UST or upgrading an UST with corrosion protection. After this 10-year period, Monthly Monitoring is required.*
  - c) \* If the leak detection method is Automatic Tank Gauging (ATG), please state the manufacturer and model of the ATG along with a description of its capabilities.
  - d) Provide documentation demonstrating that the leak detection was implemented during the last 12 months. If Inventory Control and Tank Tightness Testing is used provide copies of all reconciliation worksheets for the past twelve months.

#### Leak Detection for Pressurized Pipes.

14. If any of the USTs contain pressurized fuel pipes provide documentation showing that the fuel pipes are equipped with an automatic line leak detector.

- a) Describe the type of leak detector used, and if applicable, provide copies of records showing that the line leak detectors have been tested during the past twelve months, and
- b) Either show that the fuel pipes have had an annual line tightness test which is able to detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure, or has monthly monitoring such as, secondary containment with interstitial monitoring, vapor monitoring, groundwater monitoring, statistical inventory reconciliation (SIR), or any other method approved by NJDEP.

#### Closure

- 15. If any UST system was temporarily closed or out of service between December 22, 1988 and the date of your response, please provide:
  - a) The date it was temporary closed or taken out of service;
  - b) The period of time it was closed or non-operational; and
  - c) Whether the UST system was empty, as defined by 40 C.F.R. § 280.70 (a), during the period of temporary closure.
- 16. If any UST system is permanently closed, or if there was a change in service from regulated to non-regulated substances, provide:
  - (a) The date of permanent closure or of the change in service; and
  - (b) A copy of the site assessment report required by 40 C.F.R. §280.72.

#### Financial Responsibility

- 17. Please provide documentation of compliance with federal regulatory financial responsibility requirements (40 CFR 280 Subpart H) in case of a release from a UST.

#### Other Facilities

- 18. Provide a complete list of all the facilities you/your entity own(s) and/or operate(s) which utilize federally-regulated UST systems. For each facility indicate the number of UST systems, and include each facility's UST registration number.

ENCLOSURE III

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under the penalty of law that I have personally examined and am familiar with the information submitted in response to EPA's Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information which may include the possibility of fine and imprisonment.

Name (print or type)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
AFFILIATION



Base penalty calculation for NJ site  
Rebecca Jamison to: Dennis McChesney  
Cc: Paul Sacker

07/08/2011 12:03 PM

Here is a base calculation, a minimum penalty of \$37k.

I did not utilize any of the adjustments (non-cooperation, etc) since we do not know what they have or have not negotiated with NJDEP

I did not adjust the ESM

I calculated per Facility not per UST which is allowable for 2 of the violations (non securing USTs and non closure).

I am providing a base estimate of the lowest possible penalty.

I am also still researching the annual costs of FR. I used \$5k annually in BEN. But want to confirm this figure--I checked with Paul and he hadn't cited this before either, so i'm researching.



7 8 2011 Base Penalty v1.xls

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
(917) 464-5583 Alternate Phone for Mon & Wed only  
(212) 637-4211 (fax)  
R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

Site: **New Jersey Meadowlands Commission , North Arlington Transfer Station 1 Disposal Ro:**  
Penalty Calculation by R Jamison

Calculation-1 ESM and calculated per facility not per UST (#1 and 3 can be calculated per UST

Violation #1 \$ 18,132.00

Violation #2 \$ 13,267.00

Violation #3 \$ 6,363.00

TOTAL \$ 37,762.00



-5 USTs) & No adjustments

Site: New Jersey Meadowlands Commission , North Arlington Transfer Station 1 Disposal Road, North Arlington  
Violation: §280.70(c) - Permently close after 12 months

- 1. Days of noncompliance: 2-Dec-08 1-Aug-11
- 2. Number of facilities, tanks or pipes: 1
- 3. Total number of days: 973

Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):

- 4. One Time Capital & Time Costs: \$ 31,808.00
- 5. Delay Capital & Avoided Costs: \$ 24,600.00
- 6. Avoided Annually Recurring Costs: \$ -
- 7. Initial Economic Benefit (4-5+6): \$ 7,208.00
- 8. Final Economic Benefit at Penalty Payment Date: \$ 8,782.00

Part 3 - Matrix Value For The Gravity-Based Component:

- 9. Matrix Value (MV): 1,500

Inflation Adjustment Rules:							
	Value	Start Date	End Date	Inflation	Value+Inflation Round To	Matrix	Total
10a.	1,500	12/2/2008	1/12/2009	1.2895	\$ 1,934.25	10 \$1,930.00	\$ 1,930.00
10b.	1,500	1/13/2009	8/1/2011	1.4163	\$ 2,124.45	10 \$2,120.00	\$ 2,120.00

Note: Inflation adjustments are defined as:

- a. 17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996
- b. 9.83% increase effective Jan 13,2009

Potential for Harm: Major                      Extent of Deviation: Major

Justifications for Potential for Harm and Extent of Deviation: See OSWER Directive 9610.12, Appendix A.

Part 4 - Violator-Specific Adjustments To Matrix Value:

	% Change	Matrix Value	Total Dollar Adjustment
11a. Degree of cooperation or noncooperation:	0%	\$1,930.00	-
11b. Degree of cooperation or noncooperation:	0%	\$2,120.00	-
12a. Degree of willfulness or negligence:	0%	\$1,930.00	-
12b. Degree of willfulness or negligence:	0%	\$2,120.00	-
13a. History of noncompliance:	0%	\$1,930.00	-
13b. History of noncompliance:	0%	\$2,120.00	-
14a. Unique factors:	0%	\$1,930.00	-
14b. Unique factors:	0%	\$2,120.00	-
15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)			\$1,930.00
15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)			\$2,120.00

Justification for Degree of Cooperation/ Noncooperation:	No adjustment was made.
Justification for Degree of Willfulness or Negligence:	No adjustment was made.
Justification for History of Noncompliance:	No adjustment was made.
Justification for Unique Factors:	No adjustment was made.

Calculations for Gravity Based Components (GBC) With Inflation Adjustments:

16. Environmental Sensitivity:	Low
17. Environmental Sensitivity Multiplier (ESM):	1

Justification for Environmental Sensitivity Multiplier:

18. Days of Noncompliance Multiplier (DNM):	4.5
	Days DNM
18a.	12/2/2008 1/12/2009 42 1
18b.	1/13/2009 8/1/2011 93 3.5

Calculations for Gravity Based Components:

	Start	End	(AMV)	(ESM)	(DNM)	TOTAL
19a.	12/2/2008	1/12/2009	\$1,930.00	1	1	\$ 1,930.00
19b.	1/13/2009	8/1/2011	\$2,120.00	1	3.5	\$ 7,420.00

20. Total Gravity-Based Component =	\$ 9,350.00
-------------------------------------	-------------

21. Economic Benefit Component (from line 8):	\$ 8,782.00
---	-------------

22. Gravity-Based Component (from line 20):	\$ 9,350.00
---	-------------

23. Initial Penalty Target Figure: (line 21 plus line 22):	\$ 18,132.00
--	--------------

Site:  
Violation:

New Jersey Meadowlands Commission , N  
§280.93(a) - Comply with requirements

1. Days of noncompliance:
2. Number of facilities, tanks or pipes:
3. Total number of days:

2-Dec-08 1-Aug-11  
1  
973

**Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):**

4. One Time Capital & Time Costs:
5. Delay Capital & Avoided Costs:
6. Avoided Annually Recurring Costs:
7. Initial Economic Benefit (4-5+6):
8. Final Economic Benefit at Penalty Payment Date:

**Part 3 - Matrix Value For The Gravity-Based Component:**

9. Matrix Value (MV):

750

	Value	<i>Inflation Adjustment Rules:</i>		
		Start Date	End Date	Inflation
10a.	750	12/2/2008	1/12/2009	1.2895
10b.	750	1/13/2009	8/1/2011	1.4163

Note: Inflation adjustments are defined as:

- a. 17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996
- b. 9.83% increase effective Jan 13,2009

Potential for Harm: **Moderate** Extent of Deviation:

Justifications for Potential for Harm and Extent of Deviation: See OSWER Directive 9610.12, Appendix A.

**Part 4 - Violator-Specific Adjustments To Matrix Value:**

- 11a. Degree of cooperation or noncooperation:
- 11b. Degree of cooperation or noncooperation:
- 12a. Degree of willfulness or negligence:
- 12b. Degree of willfulness or negligence:
- 13a. History of noncompliance:
- 13b. History of noncompliance:
- 14a. Unique factors:
- 14b. Unique factors:

- 15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)
- 15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)

Justification for Degree of Cooperation/ Noncooperation:

Justification for Degree of Willfulness or Negligence:

Justification for History of Noncompliance:

Justification for Unique Factors:

Calculations for Gravity Based Components (GBC) with Inflation Adjustments:

16. Environmental Sensitivity:

**Low**

17. Environmental Sensitivity Multiplier (ESM):

**1**

Justification for Environmental Sensitivity Multiplier:

18. Days of Noncompliance Multiplier (DNM):

**4.5**

18a.

Start	End	Days
12/2/2008	1/12/2009	42
1/13/2009	8/1/2011	931

18b.

Calculations for Gravity Based Components:

19a.

Start	End
12/2/2008	1/12/2009
1/13/2009	8/1/2011

19b.

20. Total Gravity-Based Component =

21. Economic Benefit Component (from line 8):

22. Gravity-Based Component (from line 20):

23. Initial Penalty Target Figure: (line 21 plus line 22):

North Arlington Transfer Station 1 Disposal Road, North Arlington

\$ -  
 \$ -  
 \$ 7,408.00  
 \$ 7,408.00  
 \$ 8,587.00

Value+Inflation Round To	Matrix	Total
\$ 967.13 10 \$	970.00	\$ 970.00
\$ 1,062.23 10 \$	1,060.00	\$ 1,060.00

Major

% Change

Matrix Value	Total Dollar Adjustment
0% \$970.00	-
0% #####	-
0% \$970.00	-
0% #####	-
0% \$970.00	-
0% #####	-
0% \$970.00	-
0% #####	-

\$970.00  
 \$1,060.00

No adjustment was made.  
No adjustment was made.  
No adjustment was made.  
No adjustment was made.

DNM

1

3.5

(AMV)	(ESM)	
\$970.00	1	1
\$1,060.00	1	3.5

(DNM)

TOTAL

\$ 970.00

\$ 3,710.00

\$ 4,680.00

\$ 8,587.00

\$ 4,680.00

\$ 13,267.00

Site:  
Violation:

New Jersey Meadowlands Commission , North Arlingt  
§280.70(b) - Requirements for 3 months

1. Days of noncompliance:	2-Dec-08	1-Aug-11
2. Number of facilities, tanks or pipes:	1	
3. Total number of days:	973	

**Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):**

4. One Time Capital & Time Costs:
5. Delay Capital & Avoided Costs:
6. Avoided Annually Recurring Costs:
7. Initial Economic Benefit (4-5+6):
8. Final Economic Benefit at Penalty Payment Date:

**Part 3 - Matrix Value For The Gravity-Based Component:**

9. Matrix Value (MV): 750

	Value	<i>Inflation Adjustment Rules:</i>			
		Start Date	End Date	Inflation	
10a.	750	12/2/2008	1/12/2009		1.2895
10b.	750	1/13/2009	8/1/2011		1.4163

Note: Inflation adjustments are defined as:

- a. 17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996
- b. 9.83% increase effective Jan 13,2009

Potential for Harm: **Moderate**

Extent of Deviation:

Justifications for Potential for Harm and Extent of Deviation: See OSWER Directive 9610.12, Appendix A.

**Part 4 - Violator-Specific Adjustments To Matrix Value:**

- 11a. Degree of cooperation or noncooperation:
- 11b. Degree of cooperation or noncooperation:
- 12a. Degree of willfulness or negligence:
- 12b. Degree of willfulness or negligence:
- 13a. History of noncompliance:
- 13b. History of noncompliance:
- 14a. Unique factors:
- 14b. Unique factors:

- 15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)
- 15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)



Justification for Degree of Cooperation/Noncooperation

Justification for Degree of Willfulness or Negligence

Justification for History of Noncompliance:

Justification for Unique Factors:

Calculations for Gravity Based Components (GBC) with Inflation Adjustments:

16. Environmental Sensitivity:

Low

17. Environmental Sensitivity Multiplier (ESM):

1

Justification for Environmental Sensitivity Multiplier:

18. Days of Noncompliance Multiplier (DNM):

4.5

18a.

Start

End

Days

12/2/2008 1/12/2009

42

18b.

1/13/2009 8/1/2011

931

Calculations for Gravity Based Components:

19a.

Start

End

12/2/2008 1/12/2009

19b.

1/13/2009 8/1/2011

20. Total Gravity-Based Component =

21. Economic Benefit Component (from line 8):

22. Gravity-Based Component (from line 20):

23. Initial Penalty Target Figure: (line 21 plus line 22)

Ion Transfer Station 1 Disposal Road, North Arlington, NJ

\$	3,104.00
\$	2,427.00
\$	705.00
\$	1,382.00
\$	1,683.00

Value+Inflation		Round To		Matrix		Total
\$	967.13	10	\$	970.00	\$	970.00
\$	1,062.23	10	\$	1,060.00	\$	1,060.00

Major

% Change

	Matrix Value	Total Dollar Adjustment
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-

\$970.00
\$1,060.00

No adjustment was made.  
No adjustment was made.  
No adjustment was made.  
No adjustment was made.

DNM  
1  
3.5

(AMV)	(ESM)	(DNM)	TOTAL
\$970.00	1	1	\$ 970.00
\$1,060.00	1	3.5	\$ 3,710.00
			\$ 4,680.00
			\$ 1,683.00
			\$ 4,680.00
			\$ 6,363.00



Re: Fw: EPA inspection of Arlington Transfer Station (#017892)

Jonathan Berg to: Rebecca Jamison

10/21/2011 10:58 AM

Cc: "John Olko"

History:

This message has been replied to.

Rebecca - FYI this site was involved in some convoluted property transactions related to the failed ENCAP redevelopment project (converting landfills to commercial/residential uses). It is my understanding that the property is neither owned or operated by the parties named on the UST registration. I was told that the site is now owned by the NJ Meadowlands Commission. Here's a link to their website:  
<http://www.njmeadowlands.gov/>  
Happy Hunting, jlb

>>> <Jamison.Rebecca@epamail.epa.gov> 10/20/2011 10:14 AM >>>  
Thank you John. We will proceed and ensure NJDEP is "cc'd" on all correspondence.

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
(917) 464-5583 Alternate Phone for Mon & Wed only  
(212) 637-4211 (fax)  
R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

From: "John Olko" <John.Olko@dep.state.nj.us>  
To: Rebecca Jamison/R2/USEPA/US@EPA  
Cc: "Jonathan Berg" <Jonathan.Berg@dep.state.nj.us>  
Date: 10/19/2011 04:06 PM  
Subject: Re: Fw: EPA inspection of Arlington Transfer Station  
(#017892)

Hi Rebecca , I apologize in the delay in getting back to you, I was on vacation and lost track of your original email. JB and I discussed this case and agree that EPA can take the lead on the followup enforcement action. Since the original inspection of 12/3/2008 there has been a change in ownership not reflected in the registration data base. It was owned by ENCAP now it is the Meadowlands Development Commission.

If you have any questions please let me know. Thanks

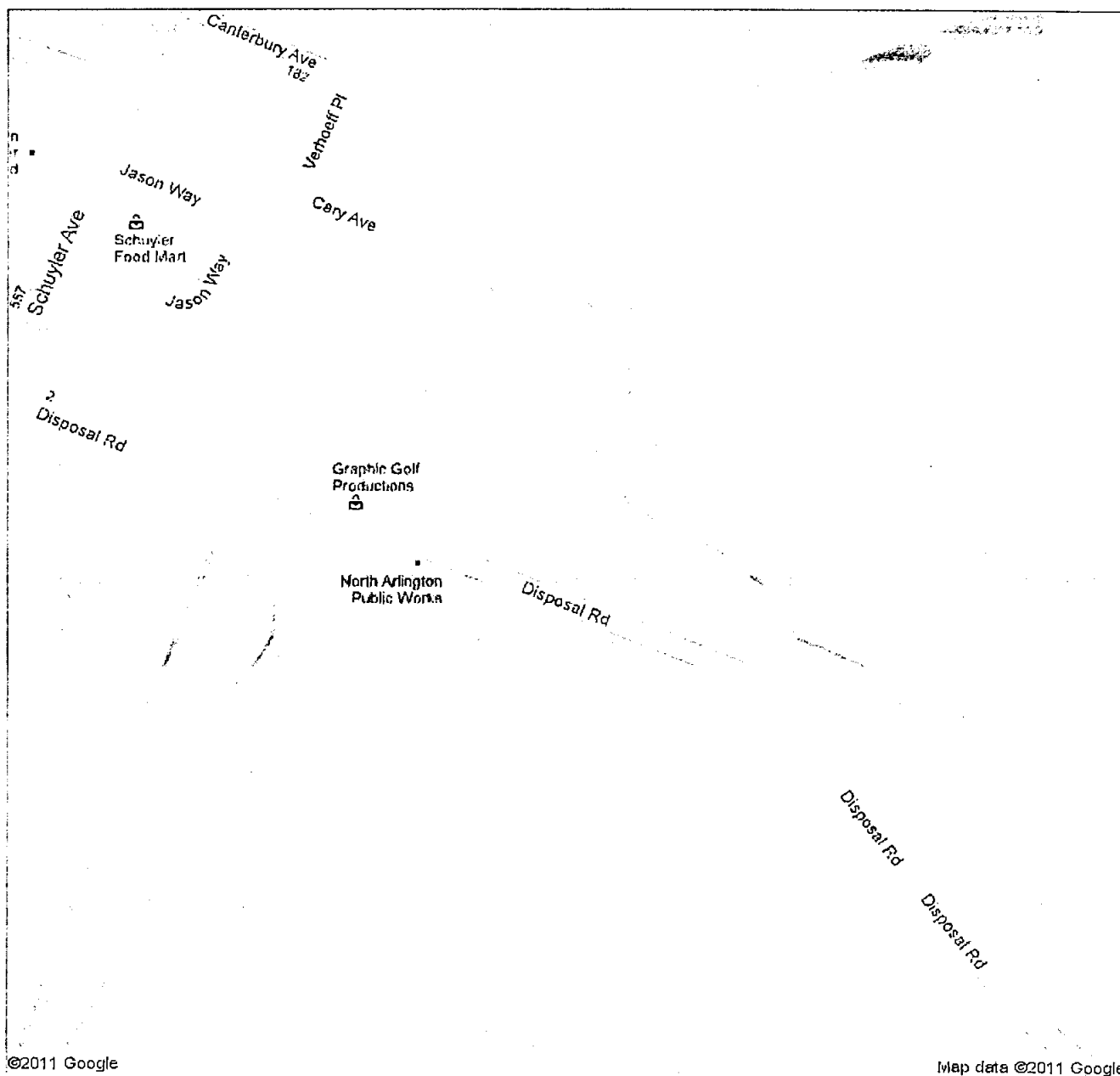
John Olko  
Supervising Environmental Specialist  
Northern UST Enforcement  
609-851-7989  
[John.Olko@dep.state.nj.us](mailto:John.Olko@dep.state.nj.us)

Google

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Text the word "GMAPS" to 466453





Re: Fw: EPA inspection of Arlington Transfer Station (#017892)

John Olko to: Rebecca Jamison

10/19/2011 04:06 PM

Cc: "Jonathan Berg"

Hi Rebecca , I apologize in the delay in getting back to you, I was on vacation and lost track of your original email. JB and I discussed this case and agree that EPA can take the lead on the followup enforcement action. Since the original inspection of 12/3/2008 there has been a change in ownership not reflected in the registration data base. It was owned by ENCAP now it is the Meadowlands Development Commission.

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John Olko  
Supervising Environmental Specialist  
Northern UST Enforcement  
609-851-7989  
John.Olko@dep.state.nj.us



To: John.Olko@dep.state.nj.us,  
Cc: Rebecca Jamison/R2/USEPA/US,  
Bcc:  
Subject: Fw: EPA inspection of Arlington Transfer Station (#017892)

---

John--Just wanted to follow up with you on the email below between myself and Len.

I'm trying to discern if EPA should pursue the violations we found or if NJDEP is ?

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
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(212) 637-4211 (fax)  
R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)

----- Forwarded by Rebecca Jamison/R2/USEPA/US on 10/11/2011 03:41 PM -----

From: "Leonard Lipman" <Leonard.Lipman@dep.state.nj.us>  
To: Rebecca Jamison/R2/USEPA/US@EPA  
Cc: "John Olko" <John.Olko@dep.state.nj.us>  
Date: 10/04/2011 10:46 AM  
Subject: Re: EPA inspection of Arlington Transfer Station (#017892)

---

good hearing from you. nice to know someone is watching things at the EPA!.  
will forward this to john olko, he has the northern region. pls. stay in  
touch and thanks again for the info.

>>> <Jamison.Rebecca@epamail.epa.gov> 10/4/2011 10:36 AM >>>  
Len,

Hope you are enjoying our mercurial weather.  
We inspected the above cited facility on May 9, 2011.  
I was handed over the inspection file to review and issue any subsequent  
enforcement.  
Our inspector found that the temporarily closed USTs had product in them  
and were not being monitored for CP or Release Detection.  
The insurance for the other USTs is standard liability only.

I note thru NJEMS that DEP issued an NOV but compliance that is still  
"pending" and the deadlines for compliance are listed in NJEMS is 2009.  
Is DEP pursuing this case?

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
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R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)



Re: EPA inspection of Arlington Transfer Station (#017892)  
Leonard Lipman to: Rebecca Jamison  
Cc: "John Olko"

10/04/2011 10:46 AM

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Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
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290 Broadway- 20th floor  
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R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~





EPA inspection of Arlington Transfer Station (#017892)

Rebecca Jamison to: Leonard.Lipman

Cc: Margaret Halley, Paul Sacker

10/04/2011 10:36 AM

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NJDEP-North Arlington Enforcement Status.pdf NJDEP-North Arlington Enforcement Visit .pdf

Rebecca Jamison

US EPA Region 2

Division of Enforcement and Compliance Assistance

UST Team

290 Broadway- 20th floor

New York, NY 10007

(212) 637-3948 (phone)

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- help

### Violations For FORMER BERGEN CO UTIL AUTH - Program

Interest ID: 017892 and Discovery Activity Number:













SCI 080001 Discovered by Hazardous Waste Program







Jul 06, 2011 12:20

NOTE: The information contained in this report will be limited to the date each program began using the Department's integrated database, NJEMS. The programs began using the system for this information as follows: Air - 10/1998; Hazardous Waste - 1/2000; Water - 7/2000; Right To Know - 11/2000; TCPA - 12/2001; Land Use 12/2001; DPCC - 1/2002; Solid Waste - 1/2002 and Pesticides - 4/2002. For complete information prior to these dates, please submit an official OPRA request form to the Department. If printing this report, select landscape orientation. For a list of terms and definitions, click on the following link:<http://www.state.nj.us/dep/infoview/enforcement.html>






Disclaimer: All listed violations have been included in Effective enforcement actions. This report lists alleged violations based on facts and information known to the Department at the time the violation information was determined. Errors or omissions in the factual basis for any violation may result in a future change in classification as a violation when such information becomes known. Persons cited for violations may contest the Department's enforcement action or penalty assessment. The resultant final decision may uphold, negate or modify the original violation findings or penalty.

Activity Number:	PEA 080001
Program Interest Type:	SRP-PI
Responsible Organization Name:	ENCAP GOLF HOLDINGS LLC

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Rel. Inspe
Failure of the owner and operator to maintain evidence of financial assurance.	SCI 080001	12/2/2008	Pending	1/1/2009				
Failure of the Owner/Operator to maintain records.	SCI 080001	12/2/2008	Pending	12/9/2008				
Failure of the Owner/Operator to perform an acceptable method of release detection monitoring for the tanks and/or underground piping	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to close out of service tank(s)	SCI 080001	12/2/2008	Pending	1/1/2009				
Failure to have Financial Responsibility Assurance Mechanism as required.	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to make the Registration Certificate available.	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to monitor lines for leak detection on a monthly basis or every 3 years.	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to properly register all regulated tanks with the Department.	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to provide overfill prevention for all tanks.	SCI 080001	12/2/2008	Pending	12/2/2008				
Failure to submit an amended UST Questionnaire to reflect changes in status made to the UST systems. Specifically, (provide details)	SCI 080001	12/2/2008	Pending	1/1/2009				
Failure to test the Interstitial continuously or at least once every 30 Days.	SCI 080001	12/2/2008	Pending	12/17/2008				
Fill Ports are not marked according to the API code #1637.	SCI 080001	12/2/2008	Pending	1/1/2009				

Monitoring system is not operating according to the requirements of the Manufacturer.	SCI 080001	12/2/2008	Pending	12/17/2008			
Not all the in-service metallic product piping has corrosion protection. Possible swing joints at the dispensers and possibly the piping runs for the generator tanks.	SCI 080001	12/2/2008	Pending	12/2/2008			
Release Response Plan not available for the inspection.	SCI 080001	12/2/2008	Pending	1/1/2009			
Spill Buckets are not free of debris, product and/or water.	SCI 080001	12/2/2008	Pending	12/17/2008			
The Owner/Operator is using regulated tanks without a valid registration certificate issued by the Department.	SCI 080001	12/2/2008	Pending	12/2/2008			
The tanks might the definition of out of service tanks, since no product has been dispensed or introduced in more than one year.	SCI 080001	12/2/2008	Pending				

Responsible  
Organization Name: NJ MEADOWLANDS COMM

Description of Non-compliance	Discovery Activity Number	Discovery Date	Violation Status	Compliance Due Date	Compliance Achieved Date	Severity	MMR	Rel. Inspe
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Failure to make the Registration Certificate available.

SCI 080001

12/2/2008

Pending

12/2/2008

[contact dep](#) | [privacy notice](#) | [legal statement](#) | [accessibility statement](#)

Failure to monitor lines for leak detection on a monthly basis or every 3 years.

SCI 080001

12/2/2008

Pending

12/2/2008

department. After a report about a problem is received, the department will investigate the problem and determine if it is a violation of the state's environmental protection laws. If it is a violation, the department will take action to enforce the laws. If it is not a violation, the department will provide information to the person who reported the problem.

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Department of Environmental Protection

P. O. Box 402

Trenton, NJ 08646-0402

Failure to provide overflow prevention for all tanks.

SCI 080001

12/2/2008

Pending

12/2/2008

Last Updated: December 13, 2005

Failure to submit an amended UST Questionnaire to reflect changes in status made to the UST systems. Specifically, (provide details)

SCI 080001

12/2/2008

Pending

1/1/2009

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SCI 080001

12/2/2008

Pending

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SCI 080001

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SCI 080001

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SCI 080001

12/2/2008

Pending

12/2/2008

The tanks might the definition of out of service tanks, since no product has been dispensed or introduced in more than one year.

SCI 080001

12/2/2008

Pending

# RS Penalty Estimate

7/8/11

2003 - last date of use

12/2/2008 - NJDEP Inspection

5/4/2011 - EPA Inspection

## Temp Closed Tank violations

- (3) ~~(1)~~ 70(a) - NO CP on temp  
~~(2)~~ 70(b) - NO RO on Temp

Tor F

Tor F

- (2) ~~(1)~~ Financial Resp

93(a) - Only Standard liability

(F)  
m/mrd

NS cited no Overflow

, 21(d)

But last use in 2003 - RS not citing


- (1) ~~(4)~~ Permanently close after 12  
, 70(c)

~~70(d)~~  
Penalty

70(b)

70(c)



Re: North Arlington Transfer Station   
Rebecca Jamison to: Dennis McChesney  
Cc: Paul Sacker, Margaret Halley

07/06/2011 12:32 PM

I was under the impression when the NJ sites were selected because NJ wasn't doing enforcement. With NJ Dataminer, I've now found in two instances where NJ did issue NOV's (okay maybe no penalties). But NOV's were issued and NJ resolved noted violations-- After discussing one case with Paul, a withdraw letter is being prepared for one site.--Borough of Montvale. NJ cited them for the issue I and Jeff noted--

For the North Arlington Transfer Station case--NJ also issued an NOV which is still open for the issues we identified including for not fully closing 5 temporarily closed USTs. The tanks all contain over 1" of product.

The tanks were tightness tested on May 5th (passed); our inspection was on May 9th.

Also 2 of the 5 USTs are for emergency generators & 1 is used waste oil.

Given that NJ has an open NOV, should we not talk to NJDEP to determine how to handle this site?



NJDEP-North Arlington Enforcement Visit .pdf NJDEP-North Arlington Enforcement Status.pdf

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
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R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

Dennis McChesney

Estimate the penalty. Thanks Dennis J. McChe...

07/06/2011 08:31:40 AM

From: Dennis McChesney/R2/USEPA/US  
To: Rebecca Jamison/R2/USEPA/US@EPA  
Date: 07/06/2011 08:31 AM  
Subject: North Arlington Transfer Station

Estimate the penalty. Thanks

Dennis J. McChesney, Ph.D., MBA  
Team Leader  
UST Team  
U.S. EPA Region 2  
290 Broadway, 20th Floor  
New York, NY 10007-1866  
Voice (212) 637-4232  
Fax (212) 637- 4211



Re: Rebecca Jamison needs some info on UST insurance costs [icon]

ChoYi Kwan to: Rebecca Jamison

07/11/2011 04:33 PM

Cc: William Foskett

History:

This message has been replied to.

Rebecca,

The best that I have on this is that based on the discussions we had with several of the insurance companies in the past year, a couple of them spoke of requiring a minimum annual premium of \$500 per tank. However, premiums, like those for car insurance, are highly dependent on the risk of the thing being covered - so the premium is dependent on the age, type, size, etc. of the tank and the deductible amount. Too bad there's nothing like a Progressive online calculator where you can plug in the year, model, type of car, and find out how much the policy would cost.

I do have a couple of examples of policies: one has a \$5K deductible with about \$500 per tank premium, and another is also a \$5K deductible with about \$1000 per tank premium. Several other policies I have seem to suggest less than \$500 per tank, but they have higher deductibles (above \$10K). Would using \$500 per tank as an annual premium estimate suffice? I don't know where else there would be info.

Rebecca Jamison I need to know basic costs for coverage of a US...

07/11/2011 12:36:05 PM

From: Rebecca Jamison/R2/USEPA/US  
To: ChoYi Kwan/DC/USEPA/US@EPA  
Cc: William Foskett/DC/USEPA/US@EPA  
Date: 07/11/2011 12:36 PM  
Subject: Re: Rebecca Jamison needs some info on UST insurance costs

I need to know basic costs for coverage of a UST--annual costs for varying sizes for a BEN Calculation. We are looking at citing a facility in NJ for not having UST-specific FR but when I call the insurance companies to get a quote I'm kept on hold forever. Someone in OUST should have this info. We haven't cited it as a violation here in R2 in quite some time.

~~~~~  
Rebecca Jamison  
US EPA Region 2  
Division of Enforcement and Compliance Assistance  
UST Team  
290 Broadway- 20th floor  
New York, NY 10007  
(212) 637-3948 (phone)  
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R2 UST webpage:  
[www.epa.gov/region02/ust](http://www.epa.gov/region02/ust)  
~~~~~

-----ChoYi Kwan/DC/USEPA/US wrote: -----

To: Rebecca Jamison/R2/USEPA/US@EPA  
From: ChoYi Kwan/DC/USEPA/US  
Date: 07/11/2011 12:27PM  
Cc: William Foskett/DC/USEPA/US@EPA  
Subject: Re: Rebecca Jamison needs some info on UST insurance costs

Hi Rebecca,

What type of insurance cost information do you need? I'm pretty sure my answer is most likely I do not have it, but I can give it a try. - Cho Yi



William Foscett---07/11/2011 12:24:50 PM---Hi ChoYi, Rebecca Jamison in Region 2 needs some information on UST insurance costs. I think she ju

From: William Foscett/DC/USEPA/US  
To: ChoYi Kwan/DC/USEPA/US@EPA  
Cc: Rebecca Jamison/R2/USEPA/US@EPA  
Date: 07/11/2011 12:24 PM  
Subject: Rebecca Jamison needs some info on UST insurance costs

Hi ChoYi,

Rebecca Jamison in Region 2 needs some information on UST insurance costs. I think she just needs approximate costs -- e.g., on a per-tank basis

Would you help her on this please?

Thanks,

Bill f.

Site: **New Jersey Meadowlands Commission , North Arlington Transfer Station 1 Disposal Ro:**  
Penalty Calculation by R Jamison  
Calculation-1 ESM and calculated per facility not per UST (#1 and 3 can be calculated per UST

Violation #1	\$ 18,132.00
Violation #2	\$ 8,973.00
Violation #3	\$ 6,363.00

<b>TOTAL</b>	<b><u>\$ 33,468.00</u></b>
--------------	----------------------------

-5 USTs) & No adjustments

Site: **New Jersey Meadowlands Commission , North Arlington Transfer Station 1 Disposal Road, North Arlington**  
Violation: **§280.70(c) - Permently close after 12 months**

1. Days of noncompliance: **2-Dec-08 1-Aug-11**  
2. Number of facilities, tanks or pipes: **1**  
3. Total number of days: **973**

**Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):**

4. One Time Capital & Time Costs: \$ **31,808.00**  
5. Delay Capital & Avoided Costs: \$ **24,600.00**  
6. Avoided Annually Recurring Costs: \$ **-**  
7. Initial Economic Benefit (4-5+6): \$ **7,208.00**  
8. Final Economic Benefit at Penalty Payment Date: \$ **8,782.00**

**Part 3 - Matrix Value For The Gravity-Based Component:**

9. Matrix Value (MV): **1,500**

*Inflation Adjustment Rules:*

	Value	Start Date	End Date	Inflation	Value+Inflation	Round To	Matrix	Total
10a.	<b>1,500</b>	<b>12/2/2008</b>	<b>1/12/2009</b>	<b>1.2895</b>	<b>\$ 1,934.25</b>	<b>10</b>	<b>\$1,930.00</b>	<b>\$ 1,930.00</b>
10b.	<b>1,500</b>	<b>1/13/2009</b>	<b>8/1/2011</b>	<b>1.4163</b>	<b>\$ 2,124.45</b>	<b>10</b>	<b>\$2,120.00</b>	<b>\$ 2,120.00</b>

Note: Inflation adjustments are defined as:

**a. 17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996**

**b. 9.83% increase effective Jan 13,2009**

Potential for Harm: **Major**      Extent of Deviation: **Major**

Justifications for Potential for Harm and Extent of Deviation: **See OSWER Directive 9610.12, Appendix A.**

**Part 4 - Violator-Specific Adjustments To Matrix Value:**

	% Change	Matrix Value	Total Dollar Adjustment
11a. Degree of cooperation or noncooperation:	0%	<b>\$1,930.00</b>	-
11b. Degree of cooperation or noncooperation:	0%	<b>\$2,120.00</b>	-
12a. Degree of willfulness or negligence:	0%	<b>\$1,930.00</b>	-
12b. Degree of willfulness or negligence:	0%	<b>\$2,120.00</b>	-
13a. History of noncompliance:	0%	<b>\$1,930.00</b>	-
13b. History of noncompliance:	0%	<b>\$2,120.00</b>	-
14a. Unique factors:	0%	<b>\$1,930.00</b>	-
14b. Unique factors:	0%	<b>\$2,120.00</b>	-
15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)			<b>\$1,930.00</b>
15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)			<b>\$2,120.00</b>

Justification for Degree of Cooperation/ Noncooperation:	<b>No adjustment was made.</b>
Justification for Degree of Willfulness or Negligence:	<b>No adjustment was made.</b>
Justification for History of Noncompliance:	<b>No adjustment was made.</b>
Justification for Unique Factors:	<b>No adjustment was made.</b>

Calculations for Gravity Based Components (GBC) with Inflation Adjustments:

16. Environmental Sensitivity:	<b>Low</b>
17. Environmental Sensitivity Multiplier (ESM):	<b>1</b>

Justification for Environmental Sensitivity Multiplier:

18. Days of Noncompliance Multiplier (DNM):	<b>4.5</b>
18a.	
18b.	

	Start	End	Days	DNM
18a.	12/2/2008	1/12/2009	42	1
18b.	1/13/2009	8/1/2011	931	3.5

Calculations for Gravity Based Components:

	Start	End	(AMV)	(ESM)	(DNM)	TOTAL
19a.	12/2/2008	1/12/2009	\$1,930.00	1	1	\$ 1,930.00
19b.	1/13/2009	8/1/2011	\$2,120.00	1	3.5	\$ 7,420.00

20. Total Gravity-Based Component =	\$ 9,350.00
-------------------------------------	-------------

21. Economic Benefit Component (from line 8):	\$ 8,782.00
---	-------------

22. Gravity-Based Component (from line 20):	\$ 9,350.00
---	-------------

23. Initial Penalty Target Figure: (line 21 plus line 22):	\$ 18,132.00
--	--------------

Site: **New Jersey Meadowlands Commission , North Arlington Transfer Station 1 Disposal Road, N**  
 Violation: **§280.93(a) - Comply with requirements**

1. Days of noncompliance: **2-Dec-08 1-Aug-11**  
 2. Number of facilities, tanks or pipes: **1**  
 3. Total number of days: **973**

**Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):**

4. One Time Capital & Time Costs: \$ -  
 5. Delay Capital & Avoided Costs: \$ -  
 6. Avoided Annually Recurring Costs: \$ **3,524.00**  
 7. Initial Economic Benefit (4-5+6): \$ **3,524.00**  
 8. Final Economic Benefit at Penalty Payment Date: \$ **4,293.00**

**Part 3 - Matrix Value For The Gravity-Based Component:**

9. Matrix Value (MV): **750**

*Inflation Adjustment Rules:*

	Value	Start Date	End Date	Inflation	Value+Inflation	Round To	Matrix
10a.	<b>750</b>	<b>12/2/2008</b>	<b>1/12/2009</b>	<b>1.2895</b>	<b>\$ 967.13</b>	<b>10</b>	<b>\$ 970.00</b>
10b.	<b>750</b>	<b>1/13/2009</b>	<b>8/1/2011</b>	<b>1.4163</b>	<b>\$ 1,062.23</b>	<b>10</b>	<b>\$1,060.00</b>

Note: Inflation adjustments are defined as:

- a. **17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996**
- b. **9.83% increase effective Jan 13,2009**

Potential for Harm: **Moderate**      Extent of Deviation: **Major**

Justifications for Potential for Harm and Extent of Deviation: **See OSWER Directive 9610.12, Appendix A.**

**Part 4 - Violator-Specific Adjustments To Matrix Value:**

	% Change	Matrix Value	Total Dollar
11a. Degree of cooperation or noncooperation:	0%	<b>\$970.00</b>	-
11b. Degree of cooperation or noncooperation:	0%	<b>\$1,060.00</b>	-
12a. Degree of willfulness or negligence:	0%	<b>\$970.00</b>	-
12b. Degree of willfulness or negligence:	0%	<b>\$1,060.00</b>	-
13a. History of noncompliance:	0%	<b>\$970.00</b>	-
13b. History of noncompliance:	0%	<b>\$1,060.00</b>	-
14a. Unique factors:	0%	<b>\$970.00</b>	-
14b. Unique factors:	0%	<b>\$1,060.00</b>	-
15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)			<b>\$970.00</b>
15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)			<b>\$1,060.00</b>



Justification for Degree of Cooperation/ Noncooperation:	No adjustment was made.
Justification for Degree of Willfulness or Negligence:	No adjustment was made.
Justification for History of Noncompliance:	No adjustment was made.
Justification for Unique Factors:	No adjustment was made.

Calculations for Gravity Based Components (GBC) with Inflation Adjustments:

16. Environmental Sensitivity:	Low
17. Environmental Sensitivity Multiplier (ESM):	1

**Justification for Environmental Sensitivity Multiplier:**

18. Days of Noncompliance Multiplier (DNM):				4.5
	Start	End	Days	DNM
18a.	12/2/2008	1/12/2009	42	1
18b.	1/13/2009	8/1/2011	931	3.5

### Calculations for Gravity Based Components:

	Start	End	(AMV)	(ESM)	(DNM)
19a.	12/2/2008	1/12/2009	\$970.00	1	1
19b.	1/13/2009	8/1/2011	\$1,060.00	1	3.5

20. Total Gravity-Based Component =

21. *Economic Benefit Component* (from line 8):

22. Gravity-Based Component (from line 20):

23. Initial Penalty Target Figure: (line 21 plus line 22):

North Arlington

Total

\$ 970.00

\$ 1,060.00

Adjustment



TOTAL

\$ 970.00

\$ 3,710.00

\$ 4,680.00

\$ 4,293.00

\$ 4,680.00

\$ 8,973.00

Site:  
Violation:

New Jersey Meadowlands Commission , North Arling  
§280.70(b) - Requirements for 3 months

1. Days of noncompliance:	2-Dec-08	1-Aug-11
2. Number of facilities, tanks or pipes:	1	
3. Total number of days:	973	

**Part 2 - Economic Benefit Component (See BEN computer model v. 4.3):**

4. One Time Capital & Time Costs:
5. Delay Capital & Avoided Costs:
6. Avoided Annually Recurring Costs:
7. Initial Economic Benefit (4-5+6):
8. Final Economic Benefit at Penalty Payment Date:

**Part 3 - Matrix Value For The Gravity-Based Component:**

9. Matrix Value (MV): 750

		<i>Inflation Adjustment Rules:</i>			
	Value	Start Date	End Date	Inflation	
10a.	750	12/2/2008	1/12/2009		1.2895
10b.	750	1/13/2009	8/1/2011		1.4163

Note: Inflation adjustments are defined as:

- a. 17.23% increase effective Oct 1, 2004 - see Debt Collection Act of 1996
- b. 9.83% increase effective Jan 13, 2009

Potential for Harm: **Moderate**

Extent of Deviation:

Justifications for Potential for Harm and Extent of Deviation: See OSWER Directive 9610.12, Appendix A.

**Part 4 - Violator-Specific Adjustments To Matrix Value:**

- 11a. Degree of cooperation or noncooperation:
- 11b. Degree of cooperation or noncooperation:
- 12a. Degree of willfulness or negligence:
- 12b. Degree of willfulness or negligence:
- 13a. History of noncompliance:
- 13b. History of noncompliance:
- 14a. Unique factors:
- 14b. Unique factors:

15a. Adjusted Matrix Value, (line 10a + Dollar Adjustments in lines 11.a to 14a)

15b. Adjusted Matrix Value, (line 10b + Dollar Adjustments in lines 11.b to 14b)

Justification for Degree of Cooperation/ Noncooperation:

Justification for Degree of Willfulness or Negligence:

Justification for History of Noncompliance:

Justification for Unique Factors:

Calculations for Gravity Based Components (GBC) with Inflation Adjustments:

16. Environmental Sensitivity:

Low

17. Environmental Sensitivity Multiplier (ESM):

1

Justification for Environmental Sensitivity Multiplier:

18. Days of Noncompliance Multiplier (DNM):

4.5

	Start	End	Days
18a.	12/2/2008	1/12/2009	42
18b.	1/13/2009	8/1/2011	931

Calculations for Gravity Based Components:

	Start	End
19a.	12/2/2008	1/12/2009
19b.	1/13/2009	8/1/2011

20. Total Gravity-Based Component =

21. Economic Benefit Component (from line 8):

22. Gravity-Based Component (from line 20):

23. Initial Penalty Target Figure: (line 21 plus line 22):

ion Transfer Station 1 Disposal Road, North Arlington, NJ

\$	3,104.00
\$	2,427.00
\$	705.00
\$	1,382.00
\$	1,683.00

Value+Inflation		Round To		Matrix		Total
\$	967.13	10	\$	970.00	\$	970.00
\$	1,062.23	10	\$	1,060.00	\$	1,060.00

Major

% Change

	Matrix Value	Total Dollar Adjustment
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-
0%	\$970.00	-
0%	\$1,060.00	-

\$970.00
\$1,060.00

No adjustment was made.  
No adjustment was made.  
No adjustment was made.  
No adjustment was made.

DNM  
1  
3.5

(AMV)	(ESM)	(DNM)	TOTAL
\$970.00	1	\$1,970.00	\$ 970.00
\$1,060.00	1	\$3,150.00	\$ 3,710.00
			\$ 4,680.00
			\$ 1,683.00
			\$ 4,680.00
			\$ 6,363.00

Run Name = NoFR	
Present Values as of Noncompliance Date (NCD),	02-Dec-2008
A) On-Time Capital & One-Time Costs	\$0
B) Delay Capital & One-Time Costs	\$0
C) Avoided Annually Recurring Costs	\$3,524
D) Initial Economic Benefit (A-B+C)	\$3,524
E) Final Econ. Ben. at Penalty Payment Date,	
01-Aug-2011	\$4,293
C-Corporation w/ NJ tax rates	
Discount/Compound Rate	7.7%
Discount/Compound Rate Calculated By:	BEN
Compliance Date	01-Aug-2011
Capital Investment:	
Cost Estimate	\$0
Cost Estimate Date	N/A
Cost Index for Inflation	N/A
Consider Future Replacement (Useful Life)	N/A (N/A)
One-Time, Nondepreciable Expenditure:	
Cost Estimate	\$0
Cost Estimate Date	N/A
Cost Index for Inflation	N/A
Tax Deductible?	N/A
Annually Recurring Costs:	
Cost Estimate	\$2,500
Cost Estimate Date	01-Aug-2011
Cost Index for Inflation	PCI
User-Customized Specific Cost Estimates:	N/A
On-Time Capital Investment	
Delay Capital Investment	
On-Time Nondepreciable Expenditure	
Delay Nondepreciable Expenditure	

Run Name = 70bNonSecured	
Present Values as of Noncompliance Date (NCD),	02-Dec-2008
A) On-Time Capital & One-Time Costs	\$3,104
B) Delay Capital & One-Time Costs	\$2,427
C) Avoided Annually Recurring Costs	\$705
D) Initial Economic Benefit (A-B+C)	\$1,382
E) Final Econ. Ben. at Penalty Payment Date,	
01-Aug-2011	\$1,683
C-Corporation w/ NJ tax rates	
Discount/Compound Rate	7.7%
Discount/Compound Rate Calculated By:	BEN
Compliance Date	01-Aug-2011
Capital Investment:	
Cost Estimate	\$0
Cost Estimate Date	N/A
Cost Index for Inflation	N/A
Consider Future Replacement (Useful Life)	N/A (N/A)
One-Time, Nondepreciable Expenditure:	
Cost Estimate	\$5,000
Cost Estimate Date	01-Aug-2011
Cost Index for Inflation	PCI
Tax Deductible?	y
Annually Recurring Costs:	
Cost Estimate	\$500
Cost Estimate Date	01-Aug-2011
Cost Index for Inflation	PCI
User-Customized Specific Cost Estimates:	N/A
On-Time Capital Investment	
Delay Capital Investment	
On-Time Nondepreciable Expenditure	
Delay Nondepreciable Expenditure	

Run Name = NotClose12Mon	
Present Values as of Noncompliance Date (NCD),	02-Dec-2008
A) On-Time Capital & One-Time Costs	\$31,808
B) Delay Capital & One-Time Costs	\$24,600
C) Avoided Annually Recurring Costs	\$0
D) Initial Economic Benefit (A-B+C)	\$7,208
E) Final Econ. Ben. at Penalty Payment Date,	
01-Aug-2011	\$8,782
C-Corporation w/ NJ tax rates	
Discount/Compound Rate	7.7%
Discount/Compound Rate Calculated By:	BEN
Compliance Date	02-Aug-2011
Capital Investment:	
Cost Estimate	\$5,000
Cost Estimate Date	01-Aug-2011
Cost Index for Inflation	PCI
Consider Future Replacement (Useful Life)	y (15)
One-Time, Nondepreciable Expenditure:	
Cost Estimate	\$45,000
Cost Estimate Date	01-Aug-2011
Cost Index for Inflation	PCI
Tax Deductible?	y
Annually Recurring Costs:	
Cost Estimate	\$0
Cost Estimate Date	N/A
Cost Index for Inflation	N/A
User-Customized Specific Cost Estimates:	N/A
On-Time Capital Investment	
Delay Capital Investment	
On-Time Nondepreciable Expenditure	
Delay Nondepreciable Expenditure	





# United States Environmental Protection Agency (EPA)

## Region 2

290 Broadway  
New York, NY 10007-1866

### Underground Storage Tank (UST) Inspection Form

INSPECTOR NAME(S):

JEFF BLAIR

DATE:

05/09/11

SIC CODE:

4953

ICIS #:

260000/2090

<b>I. Location of Tank(s)</b> <input type="checkbox"/> Tribal		<b>II. Ownership of Tank(s)</b> <input type="checkbox"/> same as location (I.)	
Facility Name <u>NORTH ARLINGTON TRANSFER STATION</u>		Owner Name <u>NEW JERSEY MEADOWLANDS COMMISSION</u>	
Street Address <u>ONE DISPOSAL ROAD</u>		Street Address <u>ONE DEKORT PARK PLAZA</u>	
City <u>NORTH ARLINGTON, NJ</u>	State <u>NJ</u>	City <u>LYNDHURST, NJ</u>	State <u>NJ</u>
Zip Code <u>07047</u>		Zip Code <u>07071</u>	
County <u>BERGEN</u>		County <u>BERGEN</u>	
Phone Number <u>(201) 460-4680</u>	Fax Number <u>(201) 460-8434</u>	Phone Number <u>(201) 955-0028</u>	Fax Number <u>OKB (SAME)</u>
Contact Person(s) <u>ANGELO URATO</u>		Contact Person(s) <u>ANGELO URATO</u>	

#### IIA. Ownership of Other Facilities

☐ Do you own other UST Facilities Yes / No

If Yes, How many Facilities \_\_\_\_\_

How many USTs \_\_\_\_\_

#### III. Notification

☐ Notification to implementing agency; name NJ DEP (EXPIRED 12/31/04)  
 State Facility ID # 017892

#### IV. Financial Responsibility ONLY STANDARD LIABILITY

<input type="checkbox"/> State Fund _____	<input type="checkbox"/> Private Insurance: Insurer/Policy # _____
<input type="checkbox"/> Guarantee <input type="checkbox"/> Surety Bond	<input type="checkbox"/> Letter of Credit
<input type="checkbox"/> Local Government <input type="checkbox"/> Self Insured	<input type="checkbox"/> <b>Not Required</b> (Federal & State government, hazardous substance USTs)

#### V. Release History

N/A ☒
☐ To your knowledge, are there any public or private Drinking Water Wells in the vicinity? Yes / No

<input type="checkbox"/> Evidence of release or spills at facility	<input type="checkbox"/> Greater than 25 gallons (estimate)
<input type="checkbox"/> Releases reported to implementing agency; if so, date(s) _____ [280.53]	
<input type="checkbox"/> Release confirmed; when and how _____	
<input type="checkbox"/> Initial abatement measures and site characterization	<input type="checkbox"/> Free product removal
<input type="checkbox"/> Soil or ground water contamination	<input type="checkbox"/> Corrective action plan submitted
<input type="checkbox"/> Remediation ongoing	<input type="checkbox"/> Remediation completed, no further action; date(s) _____

Notes: ✓

Lat. 40-792518  
Long. -74-117373

VI. Tank Information	Tank No.	E1	E2	E3	E4	E5
Tank presently in use		NO				
If not, date last used (see Section XII)		2003				
If empty, verify 1" or less left (see Section XII)		*NO*				
Capacity of Tank (gal)		6000 G	1000 G			550 G
Substance Stored		DIESEL			GASOLINE	WASTE OIL
M/Y Tank <u>Installed</u> / Upgraded	NOT DETERMINED					
<u>Tank Construction:</u> Bare steel, Sti-P3, Retrofitted sacrificial anode, Impressed Current, Composite, FRP, Interior lining, Vaulted, Double-walled (DW)		STEEL				
Spill Prevention		SPILL BUCKETS				
Overfill Prevention (specify type)		NO			AUTO SHUTOFF	NO
<u>Special Configuration:</u> Compartmentalized, Manifolded		NO				

### VII. Piping Information

<u>Piping Type:</u> Pressure, Suction	SUCTION				
<u>Piping Construction:</u> Bare steel, Sacrificial Anode, Impressed Current, Flex, FRP, Double-walled (DW)	FRP				

### Tank and Piping Notes:

### VIII. Cathodic Protection

N/A ☐

Integrity Assessment conducted prior to upgrade					
<u>Interior Lining:</u> Interior lining inspected					
<u>Impressed Current:</u> CP Test records					
Rectifier inspection records					
<u>Sacrificial Anode:</u> CP test records	*NO*				

### CP Notes:

NO RECORDS OF CATHODIC PROTECTION TESTS ON  
STEEL TANKS



Tank No.		Σ1	Σ2	Σ3	Σ4	Σ5
<b>IX. UST system used solely by Emergency Power Generator</b>		NO	YES	YES	NO	NO
<b>X. Release Detection</b>		N/A <input type="checkbox"/> N/A <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>				
<u>Tank RD Methods</u>	ATG					
	Interstitial Monitoring					
	Groundwater Monitoring					
	Vapor Monitoring					
	Inventory Control w/ TTT					
	Manual Tank Gauging					
	Manual Tank Gauging w/ TTT					
	SIR					
<u>12 Months</u> (Must Make Available Last 12 Months Monitoring Records For Compliance)		NO			NO	
<b>Tank RD Notes:</b> (State What Months Records Were Available, Describe Any Failures and Describe What Investigation Occurred Due to Failure) NO MONTHLY MONITORING OF TANKS						
<u>Pressurized Piping RD Methods</u>		N/A <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<u>12 Months Monitoring Records</u>	Interstitial Monitoring					
	Groundwater Monitoring					
	Vapor Monitoring					
	SIR					
<u>ALLD</u>		YES			YES	
<u>ALLD</u>	Annual Line Tightness Test					
	Present					
	Annual Test					
<b>Piping RD Notes:</b> (State What Months Records Were Available, Describe Any Failures and Describe What Investigation Occurred Due to Failure)						

**XI. Repairs**N/A ☒

Repaired tanks and piping are tightness tested within 30 days of repair completion

Y ☐ N ☐ Unknown ☐

CP systems are tested/inspected within 6 months of repair of any cathodically protected UST system

Y ☐ N ☐ Unknown ☐

Records of repairs are maintained

Y ☐ N ☐ Unknown ☐**XII. Temporary Closure**N/A ☐

CP continues to be maintained

Y ☐ N ☒ Unknown ☐UST system contains product and release detection is performedY ☐ N ☒ Unknown ☐

Cap and secure all lines, pumps, manways

Y ☐ N ☒ Unknown ☐**Notes:**

SEE THIRD PARTY REPORT OF TANK TESTING  
AND PRODUCT/FLUID LEVEL



THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 2 UST  
PROGRAM  
Ground Water Compliance Section  
New York, NY 10007-1866

## Inspector Observation Report

Inspection of Underground Storage Tanks (USTs)

☐ No violations observed at the conclusion of this inspection.

☐ The above named facility was inspected by a duly authorized representative of EPA Region 2, and the following are the inspector's observations and/or recommended corrective action(s):

Violations Observed:

Regulatory Citation	Violation Description
§ 280.20(a)	FAILURE TO CONTINUE OPERATION AND MAINTENANCE OF CORROSION PROTECTION SYSTEM OR RELEASE DETECTION IN A TEMPORARILY CLOSED TANK SYSTEM
§ 230.70(b)	FAILURE TO COMPLY WITH TEMPORARY CLOSE REQUIREMENTS FOR A TANK SYSTEM FOR 3 OR MORE MONTHS
§ 280.70(c)	FAILURE TO PERMANENTLY CLOSE OR UPGRADE A TEMPORARILY CLOSED TANK SYSTEM AFTER 12 MONTHS
§	
§	

Actions Taken:

☐ Field Citation; # \_\_\_\_\_ ☐ Additional information required ☐ On-site request/Due date \_\_\_\_\_

Comments/Recommendations:

- NO RELEASE DETECTION OR CORROSION PROTECTION RESULTS SINCE LAST IN USE (2003 EPA) (ALL TANKS CONTAIN PRODUCT)

Name of Owner/Operator Representative:

Angelo Urato  
(Please print)

Angelo Urato  
(Signature)

Other Participants: \_\_\_\_\_

Name of EPA Inspector/representative

JEFFREY K BLAIR

(Please print)

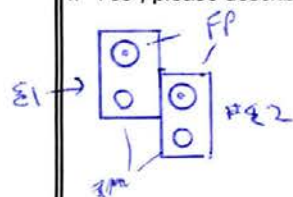
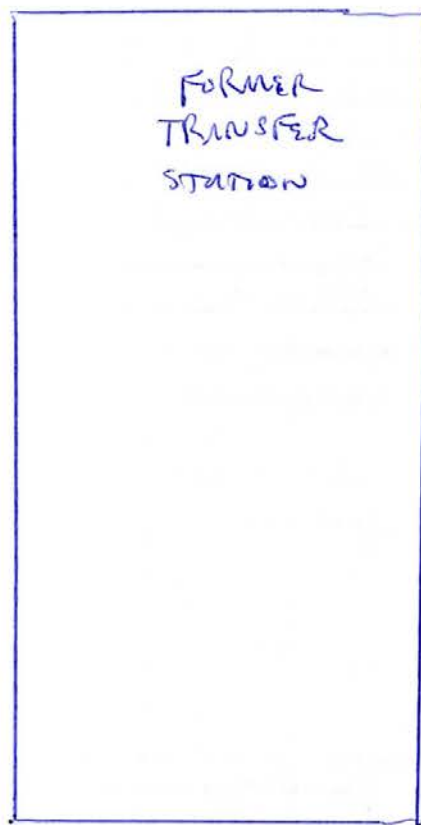
Jeffrey K Blair  
(Signature)

(Credential Number)

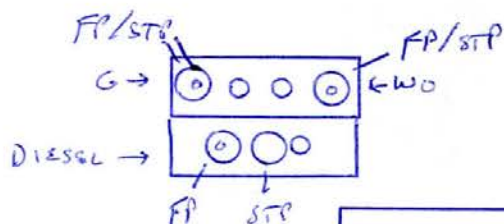
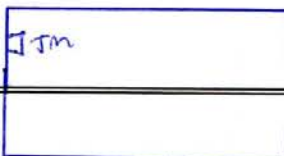
Date of Inspection 05/08/11 Time 3:45 AM/PM

**SITE DRAWING**DATE: 05/09/11 TIME ON SITE: 2:05 PM TIME OFF SITE: 3:45 PMWEATHER: 70°+ SUNNYENVIRONMENTALLY SENSITIVE AREA: Y ☐ N ☒

If "Yes", please describe:

038 - TANK  
MONITORPHOTOS

- 039 - FP DIE
- 040 - STP DIE
- 041 - FP WO
- 042 - STP WO
- 043 - FP REC
- 044 - STP REC
- 045 - FUEL PAD
- 046 - FP DIE E1
- 047 - FP DIE E2
- 048 - FUEL PAD
- 049 - SITE

☐ Pictures



**Required Fields to be used for ICIS Only**Compliance Monitoring

Activity: UST Inspection

Inspection Conclusion Data Sheet1) Did you observe deficiencies (preferred violations) during the on-site inspection? **YES**Deficiencies observed: (Put an **X** for each observed deficiency)☒ Potential failure to complete or submit a notification, report, certification, or manifest☒ Potential failure to follow or develop a required management practice or procedure☒ Potential failure to maintain a record or failure to disclose a document☒ Potential failure to maintain/inspect/repair meters, sensors, and recording equipment☐ Potential failure to report regulated events, such as spills, accidents, etc.2) If you observed deficiencies, did you communicate the deficiencies to the Facility during the inspection? **Yes / No**3) Did you observe the Facility take any actions during the inspection to address the deficiencies noted? **Yes / No**

If yes, what actions were taken?

4) Did you provide general Compliance Assistance in accordance with the policy on the role of the EPA Inspector in providing Compliance Assistance during Inspections? **Yes / No**5) Did you provide site-specific Compliance Assistance in accordance with the policy on the role of the EPA Inspector in providing Compliance Assistance during the inspection? **Yes / No**

# Release Prevention Compliance Measures Matrix

Regulatory Subject Area	Measure #	SOC Measure / Federal Citation	In Compliance?		
			N/A	Y	N
I. Spill Prevention	1	Spill prevention device is present and functional. [280.20(c)(1)(i), 280.21(d)]		✓	
II. Overfill Prevention	2	Overfill prevention device is present and operational. [280.20(c)(1)(ii), 280.21(d)]			✓
		<input type="checkbox"/> Automatic shutoff is operational (i.e., device not tampered with or inoperable) [280.20(c)(1)(ii)(A), 280.21(d)]			
		<input type="checkbox"/> Alarm is operational. [280.20(c)(1) (ii)(B), 280.21(d)]			
		<input type="checkbox"/> Alarm is audible or visible to delivery driver. [280.20(c)(1) (ii)(B), 280.21(d)] <input type="checkbox"/> Ball float is operational. [280.20(c)(1)(ii)(B), 280.21(d)]			
III a. Operation and Maintenance	3	Repaired tanks and piping were tightness tested within 30 days of repair completion (not required w/internal inspections or if monthly monitoring is in use). [280.33(d)]			✓
III b. Operation and Maintenance of Corrosion Protection	4	CP systems were tested/inspected within 6 months of repair of any cathodically protected UST system. [280.33(e)]			✓
	5	Corrosion protection system is properly operated and maintained to provide continuous protection. [280.31(a)(b), 280.70(a)]			✓
		<input type="checkbox"/> UST system (Choose one) <input type="checkbox"/> UST in operation <input checked="" type="checkbox"/> UST in temporary closure <input type="checkbox"/> CP System is properly operated and maintained <input type="checkbox"/> CP system is performing adequately based on results of testing. [280.31(b)]; - or - <input type="checkbox"/> CP system tested within required period and operator is conducting or has completed appropriate repair in response to test results reflecting CP system not providing adequate protection.			

← GASEOUS ONLY

017892



# Release Prevention Compliance Measures Matrix

Regulatory Subject Area	Measure #	SOC Measure / Federal Citation	In Compliance?		
			N/A	Y	N
III b. Operation and Maintenance of Corrosion Protection (Continued)	6	UST systems with impressed current cathodic protection are inspected every 60 days. [280.31(c)]	✓		
	7	Lined tanks are inspected periodically and lining is in compliance. [280.21(b)(1)(ii)]	✓		
IV. Tank and Piping Corrosion Protection	8	Buried metal tank and piping (which includes fittings, connections, etc.) is corrosion protected. [280.20(a), 280.20(b), 280.21(b), 280.21(c)]			✓
		<input type="checkbox"/> Buried metal piping components (such as swing joints, flex-connector, etc.) are isolated from the soil or cathodically protected. For new USTs - tanks and piping installed after 12/22/88 [280.20(a), 280.20(b)]: <input type="checkbox"/> Steel tank or piping is coated with suitable dielectric material and cathodically protected. [280.20(a)(2), 280.20(b)(2)] <input type="checkbox"/> Tank is fiberglass, clad, or jacketed and piping is fiberglass or flexible plastic. [280.20(a)(1), 280.20(a)(3), 280.20(a)(5), 280.20(b)(1), 280.20(b)(4)] <input type="checkbox"/> Records are available to document that CP is not necessary. [280.20(a)(4)(ii), 280.20(b)(3)(ii)] For existing USTs - tanks and piping installed on or before 12/22/88 [280.21(b), 280.21(c)]: <input type="checkbox"/> Tank and piping meet new UST requirements [280.21(a)(1)] <input type="checkbox"/> Steel tank is internally lined. [280.21 (b)] <input type="checkbox"/> Metal tank and piping are cathodically protected. [280.21(b)(2), 280.21(c)]			

Notes: N/A - Indicates that the measure is not applicable.

Any mark in the "N" (No) column means that the facility is not in Significant Operational Compliance (SOC) with Release Prevention Compliance Measures. In order for a compliance measure to be in SOC, all applicable check-box items must be in compliance.

# Release Detection Compliance Measures Matrix

Instructions - To Determine Compliance Status of Measures #1-7,  
Work Through the Worksheet "Commonly Used Release Detection Methods" Below.

Regulatory Subject Area	Measure #	SOC Measure/ Federal Citation	In Compliance?		
			N/A	Y	N
I. Release Detection Method Presence and Performance Requirements	1	Release detection method is present. [280.40(a)]			✓
	2	Release detection system is operating properly (i.e., able to detect a release from any portion of the system that routinely contains product). [(280.40(a)(1))]			✓
	3	Release detection system meets the performance standards at 280.43 or 280.44. [(280.40(a)(3))]			✓
	4	Implementing agency has been notified of suspected release as required. [(280.40(b))] <input type="checkbox"/> Non-passing results reported and resolved in accordance with implementing agency's directions. [280.40(b)]	✓		
II. Release Detection Testing	5	Tanks and piping are monitored monthly for releases and records are available (must have records for the two most recent consecutive months and for 8 months of the last 12 months). [280.41(a), and 280.45(b)]			✓
III. Hazardous Substance UST Systems	6	Hazardous substance UST system leak detection meets the requirements (i.e., either secondarily contained or otherwise approved by the implementing agency). [280.42(b)]	✓		
IV. Temporary Closure	7	Release detection requirements are complied with (i.e., method present, operational, releases investigated and reported as required) for UST systems containing product. [280.70(a)]			✓

## Worksheet - Commonly Used Release Detection Methods

Tank (Choose one)	Pressurized Pipe (Choose Two)	Non-exempt Suction Pipe (Choose one)	Release Detection Method
<input type="checkbox"/>			<p>A. Inventory Control with Tank Tightness Testing (T.T.T)</p> <p><input type="checkbox"/> Inventory control is conducted properly.</p> <p><input type="checkbox"/> T.T.T performed as required (See "D" below).</p> <p><input type="checkbox"/> Inventory volume measurements for inputs, withdrawals, and remaining amounts are recorded each operating day and reconciled as required. [280.43(a)(1), 280.43(a)(3)]</p> <p><input type="checkbox"/> Equipment is capable of 1/8-inch measurement. [280.43(a)(2)]</p> <p><input type="checkbox"/> Product dispensing is metered and recorded within local standards for meter calibration to required accuracy. [280.43(a)(5)]</p> <p><input type="checkbox"/> Water is monitored at least monthly. [280.43(a)(6)]</p>

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# Release Detection Compliance Measures Matrix

## Worksheet (Continued) - Commonly Used Release Detection Methods

Tank (Choose one)	Pressurized Pipe (Choose Two)	Non-exempt Suction Pipe (Choose one)	Release Detection Method
<input type="checkbox"/>			<p><b>B. Automatic Tank Gauge (ATG)</b></p> <p><input type="checkbox"/> ATG is set up properly. [280.40(a)(2)]</p> <p><input type="checkbox"/> ATG can detect a 0.2 gal/hr leak rate from any portion of the tank routinely containing product. [280.43(d)(1)] <input type="checkbox"/></p> <p>ATG is checking portion of tank that routinely contains product. [280.40(a)(1)]</p>
<input type="checkbox"/>			<p><b>C. Manual Tank Gauging (MTG)</b></p> <p><input type="checkbox"/> Tank size is appropriate for using MTG. [280.43(b)(5)]</p> <p><input type="checkbox"/> Tanks 1001 gals (as per EPA memo) and greater restricted to use with T.T.T. (See "D" below) <input type="checkbox"/></p> <p>Method is being conducted correctly. [280.43(b)(4)]</p> <p><input type="checkbox"/> No liquid was added to or taken out of the tank during the test. [280.43(b)(1)] <input type="checkbox"/></p> <p>Equipment is capable of 1/8-inch measurement. [280.43(b)(3)]</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>D. Tightness Testing (Safe Suction piping does not require testing)</b></p> <p><input type="checkbox"/> Testing method is capable of detecting a 0.1 gal/hr leak rate from any portion of tank routinely containing product. [280.43(c)]</p> <p><input type="checkbox"/> Tightness testing is conducted within specified time frames for method:</p> <p><input type="checkbox"/> Tanks - every 5 years [280.41(a)(1)]</p> <p><input type="checkbox"/> Pressurized Piping - annually [280.41(b)(1)(ii)]</p> <p><input type="checkbox"/> Non-exempt suction piping - every 3 years [280.41(b)(2)]</p> <p><input type="checkbox"/> Tightness testing is conducted following manufacturer's instructions. [280.40(a)(3)]</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>E. Ground Water or Vapor Monitoring</b></p> <p><input type="checkbox"/> Ground water in the monitoring well is never more than 20 feet from the ground surface. [280.43(f)(2)] <input type="checkbox"/></p> <p>Vapor monitoring well is not affected by high ground water. [280.43(e)(3)]</p> <p><input type="checkbox"/> Site assessment has been done for vapor or ground water monitoring. [280.43(e)(6), 280.43(f)(7)] <input type="checkbox"/></p> <p>Wells are properly designed and positioned. [280.43(e)(6), 280.43(f)(7)]</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>F. Interstitial Monitoring</b></p> <p><input type="checkbox"/> Secondary containment can be used to detect a release [280.43(g)(1), 280.43(g)(2)]</p> <p><input type="checkbox"/> Sensor properly positioned. [280.40(a)(2)]</p>

# Release Detection Compliance Measures Matrix

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Worksheet (Continued) - Commonly Used Release Detection Methods			
Tank (Choose one)	Pressurized Pipe (Choose Two)	Non-exempt Suction Pipe (Choose one)	Release Detection Method
	<input type="checkbox"/>		G. Automatic Line Leak Detector (ALLD) <input type="checkbox"/> ALLD is present and operational. [280.44(a)] <input type="checkbox"/> Annual function test of the ALLD has been conducted and records are available. [280.44(a)]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	H. Other Methods [e.g., Statistical Inventory Reconciliation (S.I.R.)] <input type="checkbox"/> The method can detect a 0.2 gal/hr leak rate or a release of 150 gal within a month and meet the 95/5 requirement [280.43(h)(1)]; or <input type="checkbox"/> The implementing agency has approved the method as being as effective as tank tightness testing, automatic tank gauging, vapor monitoring, ground water monitoring, or interstitial monitoring and the operator complies with any conditions imposed by agency. [280.43(h)(2)] <input type="checkbox"/> S.I.R. - Results are received within time frame established by implementing agency. [280.41(a) & 280.43(h)]

Notes: N/A - Indicates that the measure is not applicable.

Any mark in the "N" (No) column means that the facility is not in Significant Operational Compliance (SOC) with Release Detection Compliance Measures.

In order for a compliance measure to be in SOC, all applicable check-box items must be in compliance.

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STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF RESPONSIBLE PARTY SITE REMEDIATION  
UNDERGROUND STORAGE TANK PROGRAM

P.O. BOX 028  
TRENTON, NEW JERSEY 08625-0028  
Phone: (609) 633-0719



UNDERGROUND STORAGE TANK SYSTEMS  
REGISTRATION CERTIFICATE

The Department of Environmental Protection hereby grants this registration to operate and maintain the Underground Storage Tank System(s) described below in accordance with the laws and regulations of the State of New Jersey. This registration is revocable with due cause and is subject to the limitations, terms and conditions pursuant to N.J.A.C. 7:14B.		Approval Date: 05/01/2002 Expiration Date: 12/31/2004
Facility ID:  017892  Registration Activity ID:  UST000002	Facility Contact (Operator):  Not Identified (201) 955-0028	Total Number of Tanks:  5  Total Capacity (Gallons):  9550
Facility Address:  BCUA TRANSFER STATION 1 DISPOSAL RD NORTH ARLINGTON BORO NJ 07032	Owner: THEROME SHEEHAN BERGEN COUNTY UTILITIES AUTHORITY FOOT OF MEHRHOFF RD LITTLE FERRY NJ 07643	
Approved Tanks and Products Stored		
TANK No.	TANK CONTENTS	TANK CAPACITY
E1	Medium Diesel Fuel (No. 2-D)	6000
E2	Medium Diesel Fuel (No. 2-D)	1000
E3	Medium Diesel Fuel (No. 2-D)	1000
E4	Unleaded Gasoline	1000
E5	Waste Oil	550
This Registration Must Be Available for Inspection at the Facility AT ALL TIMES		





**Eco Logic Environmental**

Eco Logic Tank Testing.com

017892

## TANK TEST CERTIFICATION

May 5, 2011

Certification Number: SS11D172-4

New Jersey Meadowland Commission  
1 DeKorte Park Plaza  
Lyndhurst, NJ 07071

**Tank Location: Disposal Road, North Arlington, NJ**

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Diesel	44.000"	2.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EYZ 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EYZ 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EYZ 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic Environmental**

Eco Logic Tank Testing . com

## TANK TEST CERTIFICATION

May 5, 2011

Certification Number: SS11D172-5

New Jersey Meadowland Commission  
1 DeKorte Park Plaza  
Lyndhurst, NJ 07071

**Tank Location: Disposal Road, North Arlington, NJ**

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Diesel	39.000"	1.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EZY 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic** Environmental

Eco Logic Tank Testing.com

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## TANK TEST CERTIFICATION

May 5, 2011

Certification Number: SS11D172-2

New Jersey Meadowland Commission  
1 DeKorte Park Plaza  
Lyndhurst, NJ 07071

**Tank Location: Disposal Road, North Arlington, NJ**

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	500	Waste Oil	28.000"	0.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

We have determined that the underground storage tank located at Disposal Road, North Arlington, NJ passes the criteria set forth by the New Jersey Department of Environmental Protection (NJDEP) and does not contain any detectable leaks.

If you have any questions about this report or any other services we offer, please do not hesitate to contact us.

Terms & Conditions: The Estabrook EZY 3 Locator Plus tightness test can not determine the presence or absence of holes in the tank that are outside of the detectable range. The test results do not predict future operation or the integrity of this underground storage tank in the future. Eco Logic Environmental LLC specifically excludes any representation of warranty, either expressed or implied.

Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance





**Eco Logic Environmental**

Eco Logic Tank Testing .com

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## TANK TEST CERTIFICATION

May 5, 2011

Certification Number: SS11D172-3

New Jersey Meadowland Commission  
1 DeKorte Park Plaza  
Lyndhurst, NJ 07071

**Tank Location: Disposal Road, North Arlington, NJ**

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	1,000	Gasoline	13.000"	0.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

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Very Truly Yours,

Marc Ricciardi  
Director of Technology and Compliance



**Eco Logic Environmental**

Eco Logic Tank Testing.com

## TANK TEST CERTIFICATION

May 5, 2011

Certification Number: SS11D172-1

New Jersey Meadowland Commission  
1 DeKorte Park Plaza  
Lyndhurst, NJ 07071

**Tank Location: Disposal Road, North Arlington, NJ**

Date of Test: 4/11/2011

TANK #	TANK SIZE	PRODUCT	INCHES OF PRODUCT	INCHES OF WATER	TANK STATUS
1	6,000	Diesel	34.000"	1.000"	PASS

As per your request Eco Logic Environmental evaluated an underground storage tank located at the above mentioned address. The technician utilized an Estabrook EZY 3 Locator Plus Acoustic Non-Volumetric Tank Tightness Test (vacuum) which is capable of detecting a leak rate of 0.1 gph with a 100% probability of detection and a 1.6% probability of false alarm. This test meets or exceeds the U.S. EPA protocol, 40 CFR Part 280, Subpart D, for Non volumetric tank tightness testing. The Estabrook EZY 3 Locator Plus is capable of determining whether there is leak in the ullage (dry portion) or the wetted (product filled) sections of the tank.

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Very Truly Yours,

Marc Ricciardi

Director of Technology and Compliance

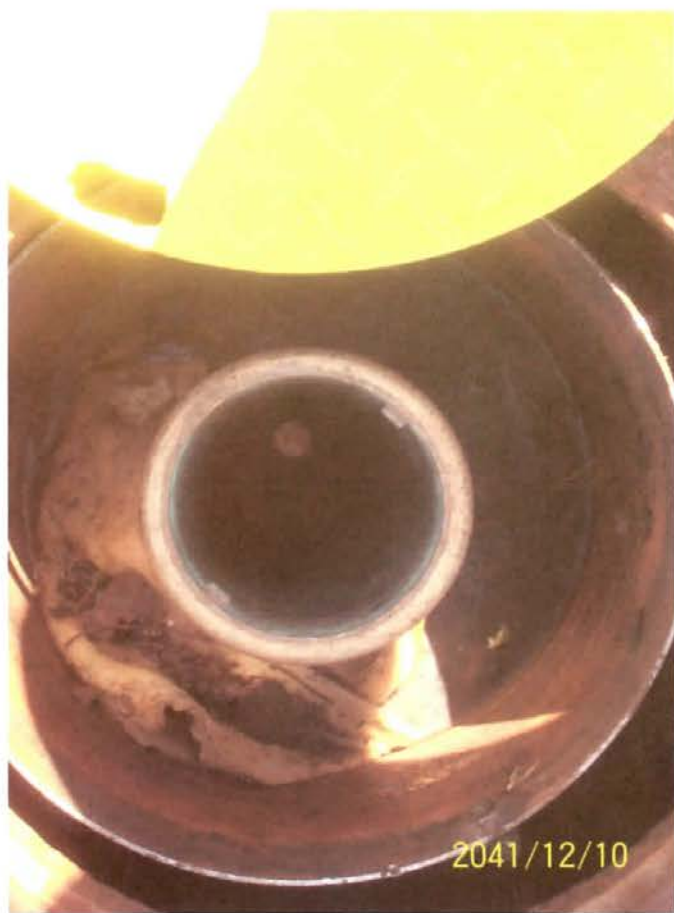


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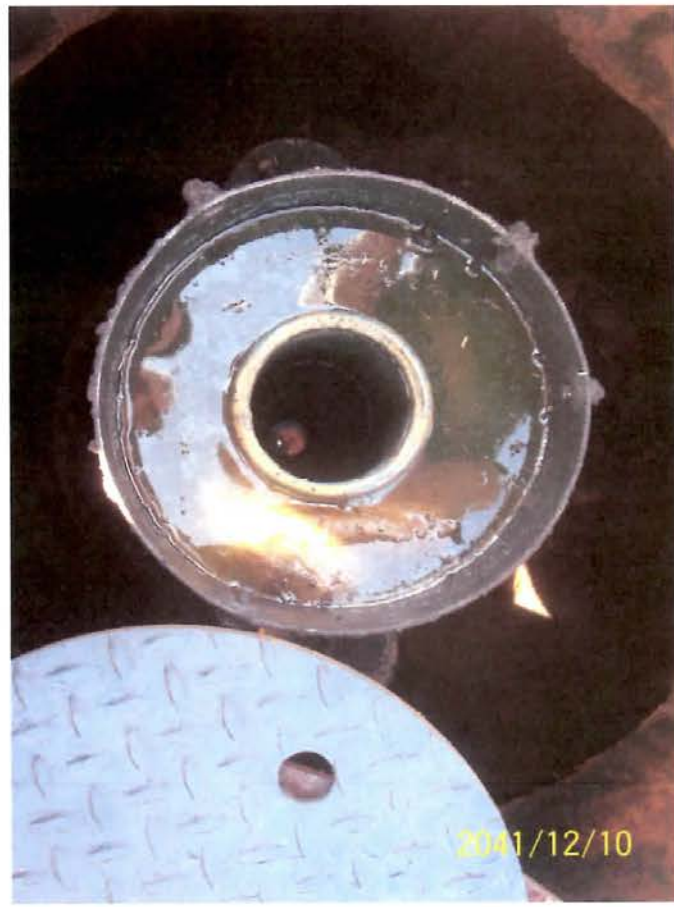


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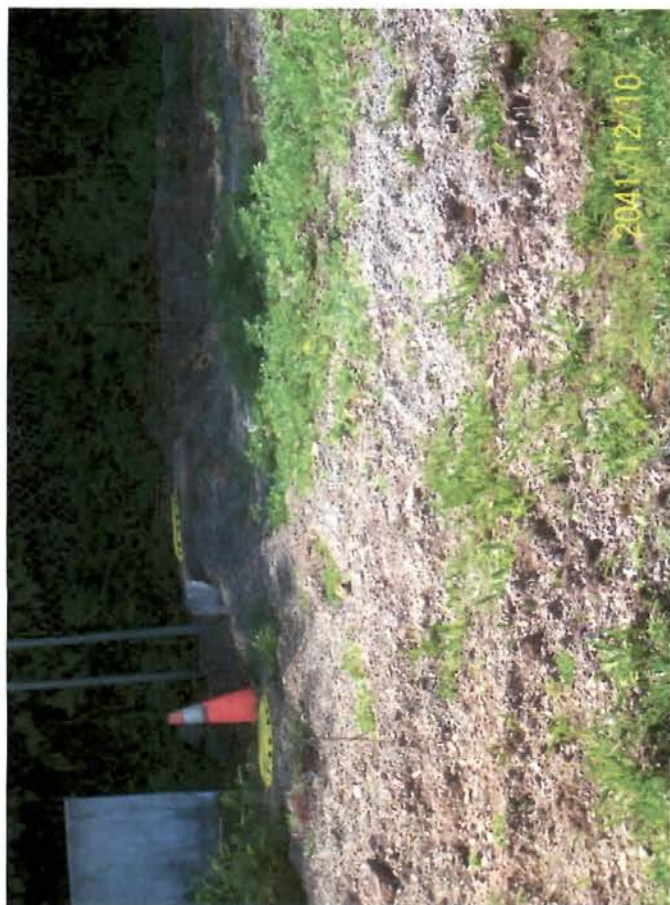


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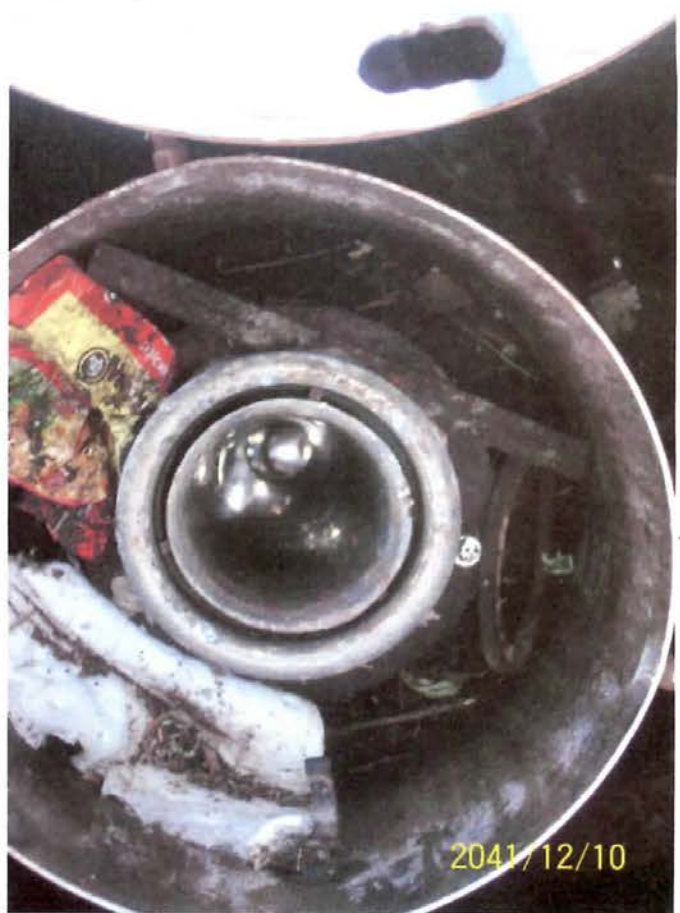


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## Inspection Summary Report for FORMER BERGEN CO UT AUTH - Activity Number SCI 080001

NOTE: The information contained in this report will be limited to the date each program began using the database, NJEMS. The programs began using the system for this information as follows: Air - 10/1998; Water - 7/2000; TCPA - 12/2001; Land Use 12/2001; DPCC - 1/2002; Solid Waste - 1/2002; Right To Know - 4/2002; Site Remediation - 3/2003 and Radiation (limited information) - 7/2006. For complete information, submit an official OPRA request form to the Department. If printing this report, select landscape orientation. For definitions, click on the following link: <http://www.state.nj.us/dep/infoview/enforcement.html>

Disclaimer: Only final inspection reports are listed in this report. Inspections for which a report has not been received by the Department will not appear in this report. Also, inspections which yield violations but where the inspector was not notified of the violation are not listed in this report. For inspections indicating Out of Compliance, this is based on what was observed during the inspection, based on facts and information known to the Department at the time of inspection. Omissions in the factual basis for any violation may result in a future change in classification as a violation becomes known.

Activity Number:	SCI 080001	Inspection Type:	HW - UST Inspection	Program
Inspection Start Date:	12/02/08	End Date:	12/03/08	Lead Investigator: Marlowe, Kevin
Program Interest Name: FORMER BERGEN CO UTIL AUTH				
Address:	1 DISPOSAL RD	North Arlington Boro	NJ	07032
Block(s) and Lot(s): No Block and Lot				
Comments:				
The site has been abandoned. The tanks are in the ground with substantial amounts of product in them.				
Subject Item:	WUST	0 -	HW - Underground Storage Tanks	



Seq. #	Requirement Description	Compliance Status	Compliance Comments
100	INFORMATION /DOCUMENTATION REQUIRED.	Heading	The ownership of this site is unclear.
105	Are all regulated tanks properly registered with the Department? (NOTE : for compartmented tanks, each compartment must be registered as a separate tank). [N.J.A.C. 7:14B-2.1(a)]	Out of Compliance	Failure to properly register all regulated tanks with the Department.
110	Is the Registration Certificate available? . [N.J.A.C. 7:14B-2.6(a)]	Out of Compliance	Failure to make the Registration Certificate available.
120	Did the owner/operator submit an amended UST Questionnaire to reflect changes in status made to the facility? (owner, facility name, tank/piping construction/contents). [N.J.A.C. 7:14B-2.4(a)]	Out of Compliance	Failure to submit an amended UST Questionnaire to reflect changes in status made to the UST systems. Specifically, (provide details)
121	Does the owner and operator maintain evidence of financial assurance at the site and at the owner or operator's place of business as required?. [N.J.A.C. 7:14B-15.1(h)]	Out of Compliance	Failure of the owner and operator to maintain evidence of financial assurance.
125	Does this facility have a Financial Responsibility Assurance Mechanism as required?. [N.J.A.C. 7:14B-15.2(a)]	Out of Compliance	Failure to have Financial Responsibility Assurance Mechanism as required.
140	Is a complete Release Response Plan available for the inspection? . [N.J.A.C. 7:14B-5.5(b)]	Out of Compliance	Release Response Plan not available for the inspection.
150	CORROSION PROTECTION FOR STEEL SYSTEMS ONLY .	Heading	
160	Do all the in-service metallic product pipes have corrosion protection? . [N.J.A.C. 7:14B-4.1(a)2]	Out of Compliance	Not all the in-service metallic product piping has corrosion protection. Possible swing joints at the dispensers and possibly the piping runs for generator tanks.
256	UST LEAK DETECTION (Tanks and Lines).	Heading	power turned off at site.
257	Is the Owner/Operator performing an acceptable method of release detection for the tanks and/or underground piping? (List Type of RDM for Tanks and Lines). [N.J.A.C. 7:14B-6.1(a)]	Out of Compliance	Failure of the Owner/Operator to perform an acceptable method of release detection monitoring for the tanks and/or underground piping.
258	Is the Owner/Operator maintaining records of any sampling, testing or monitoring and monthly inventory reconciliations?. [N.J.A.C. 7:14B-6.7(f)]	Out of Compliance	Failure of the Owner/Operator to maintain records.
260	TANK RELEASE DETECTION MONITORING.	Heading	
295	INTERSTITIAL MONITORING .	Heading	Ronan in garage. no power at site.

300	Is the monitoring system operating according to the requirements of the Manufacturer? (Indicate alarm type). [N.J.A.C. 7:14B-6.1(a)2]	Out of Compliance	Monitoring system is not operating according to the requirements of the Manufacturer.
305	Is the Interstitial tested continuously or at least once every 30 Days?. [N.J.A.C. 7:14B-6.2(a)1]	Out of Compliance	Failure to test the Interstitial continuously or at least once every 30 Days.
435	PRODUCT PIPING RDM.	Heading	
465	SUCTION PIPING .	Heading	
470	What type of suction system (European or American) is utilized? (Indicate which Type).	Data Collection	american
475	If American Suction system is present, is Monthly Monitoring (either vapor monitoring, product monitoring on GW, interstitial monitoring or SIR) being performed OR is a Line Tightness Test being performed every 3 years ? (Indicate Method used) . [N.J.A.C. 7:14B-6.2(a)]	Out of Compliance	Failure to monitor lines for leak detection on monthly basis or every 3 years.
485	SPILL PREVENTION.	Heading	
490	Are Fill Ports marked correctly according to the API code #1637? . [N.J.A.C. 7:14B-5.8]	Out of Compliance	Fill Ports are not marked according to the API code #1637.
495	Are there Spill Catchment Basins (Spill Buckets) at each fill pipe?. [N.J.A.C. 7:14B-4.1(a)3i]	In Compliance	
500	Are the Spill Catchment Basins (Spill Buckets) free of debris, product and/or water? . [N.J.A.C. 7:14B-5.1(d)1]	Out of Compliance	Spill Buckets are not free of debris, product and/or water.
510	OVERFILL PREVENTION .	Heading	Suction with ball floats - Ball float with coiled drop tube on the gasoline.
512	Do each of the regulated tanks have overfill prevention?. [N.J.A.C. 7:14B-4.1(a)3ii]	Out of Compliance	Failure to provide overfill prevention for all tanks.
520	As overfill prevention, does the Tank System have a Restrictive Flow Device (90% Tank Capacity) ? .	Data Collection	not effective overfill for suction.
540	DELIVERY BAN.	Heading	Would have been imposed if tanks were being actively used. Levels in the tanks were between 14 and 44 inches.
541	Did the owner/operator use regulated tanks without receiving a valid registration certificate issued by the Department? . [N.J.A.C. 7:14B-2.1(c)]	Out of Compliance	The Owner/Operator is using regulated tanks without a valid registration certificate issued by the Department.



550	INVESTIGATION OF A SUSPECTED RELEASE.	Heading	
552	Did the results of field screening confirm the presense of contamination?. [N.J.A.C. 7:14B-5.9(a)]	Data Collection	one riser - 380 meter units.
570	OUT OF SERVICE TANKS (>12 MONTHS).	Heading	The tanks have not been activiely used in mo than twelve months.
575	Are there any tank(s) at the facility that have been out of service for 12 months or greater?.	Out of Compliance	The tanks might the definition of out of servi tanks, since no product has been dispensed c introduced in more than one year.
580	If yes, has the Owner/Operator failed to close out of service tank(s) (>12 months)?. [N.J.A.C. 7:14B-9.1]	Out of Compliance	Failure to close out of service tank(s)

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 Department of Environmental Protection  
 P. O. Box 402  
 Trenton, NJ 08625-0402

Last Updated: December 13, 2005